

George Jarvis (J).. Austin, esq. (TBA) 06/06/20
Austin v. Tesla, et. al. Case # 3:20-cv-00800
P.O. Box 1832 Oakland, CA 94604, or alternatively
240 E. Channel St. #431 Stockton, CA 95202

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE J. AUSTIN, Plaintiff,

WHISTLEBLOWER RETALIATION
PARTIAL AFFIDAVIT

Re: Dkt. Nos. 16-21

v.

TESLA., et al., Defendants.

Case No. 3:20-cv-00800

George Jarvis (J).. Austin, esq. (TBA) 06/06/20
Austin v. Tesla, et. al. Case # 3:20-cv-00800
P.O. Box 1832 Oakland, CA 94604, or alternatively
240 E. Channel St. #431 Stockton, CA 95202

Pursuant to Rule 26 *Duty to Disclose; General Provisions Governing Discovery*, Rule 56(c), and Rule 44 *Proving an Official Record* Plaintiff moves to file a Whistleblower Retaliation Partial Affidavit including text messages, emails, and a recorded, saved, and transcribed voicemail from Sandy Malloy. See attached. Plaintiff discovered, inquired, proactively followed up, and engaged in legally protected activity, as a Whistleblower, to inform, and correct, violations of the Labor Code (Federal, and State), as well as other statutes with Defendant employers. Plaintiff repeatedly asked for a valid, and logically coherent, written explanation from Defendants for the discovered discrepancies. They continually refused alerting Plaintiff to look deeper into the issues.

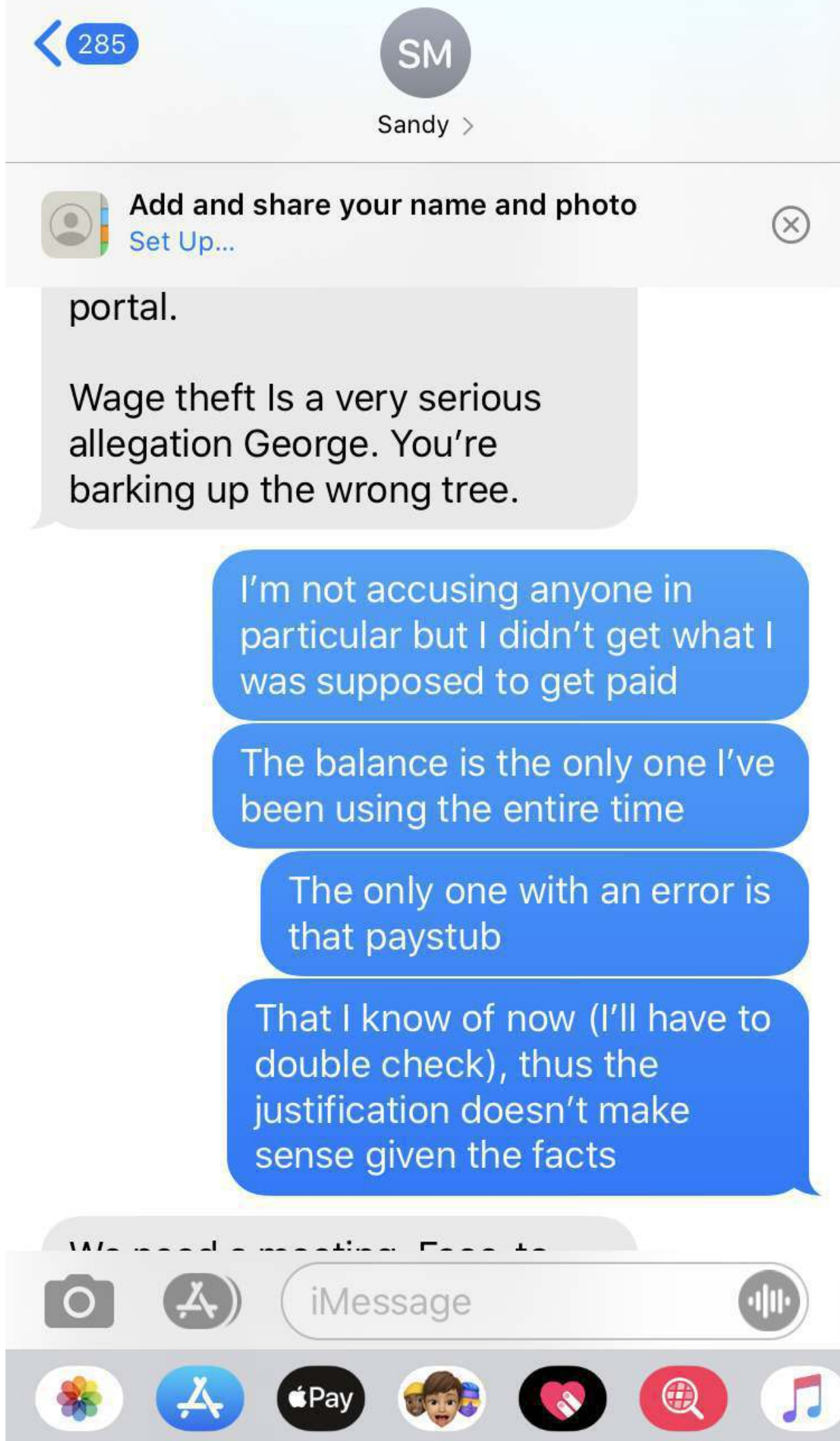
Once Plaintiff escalated the conversation to company officers, and highlighted clear issues, that are still as of July, 9, 2020, unresolved, openly retaliatory actions from Defendants began. Similar to the recently upheld \$5,000,000.00 (Five Million Dollar) jury award for retaliation in *Hoeper v. City & County Of San Francisco*, where Plaintiff, Ms. Hoeper was warned “You’ll be Sorry,” Defendant Ms. Malloy’s “You’re barking up the wrong tree” served as a similar function. First, Plaintiff is not a ‘dog,’ nor is she, thus the inclusion of ‘barking’ in the conversation out of nowhere, especially in a professional context is already offensive, but to use that to not address very serious statutory violations is of even greater concern.

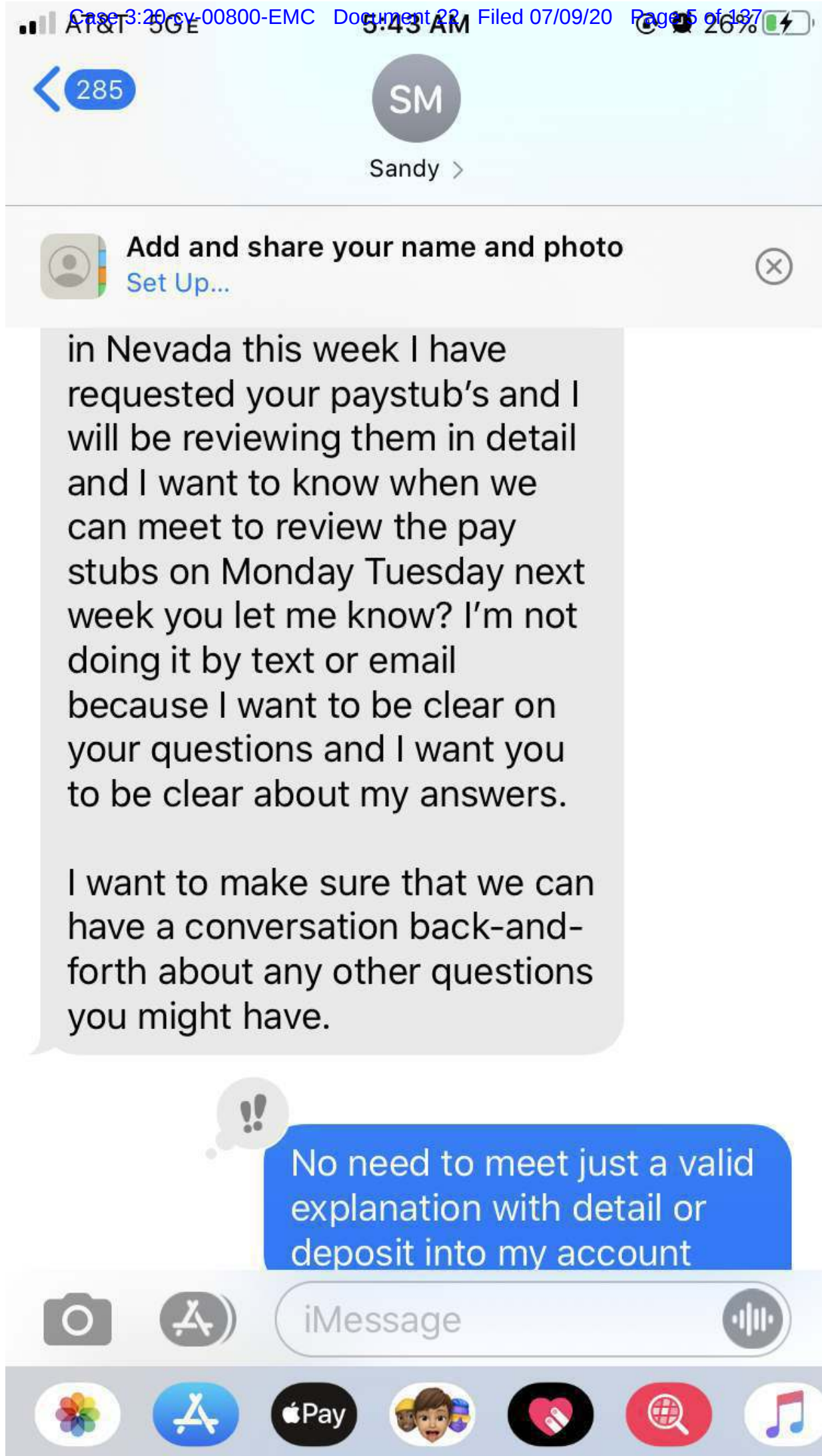
Defendant’s eventually responded with Defamatory statements, and Retaliatory action, via Sandy Malloy. See attached. Plaintiff followed this message up in writing to get clarity, and give Defendants multiple opportunities to correct their false, and defamatory statement(s), as well as retaliatory negative actions, but no correction was made, and additional legal liability ensued.

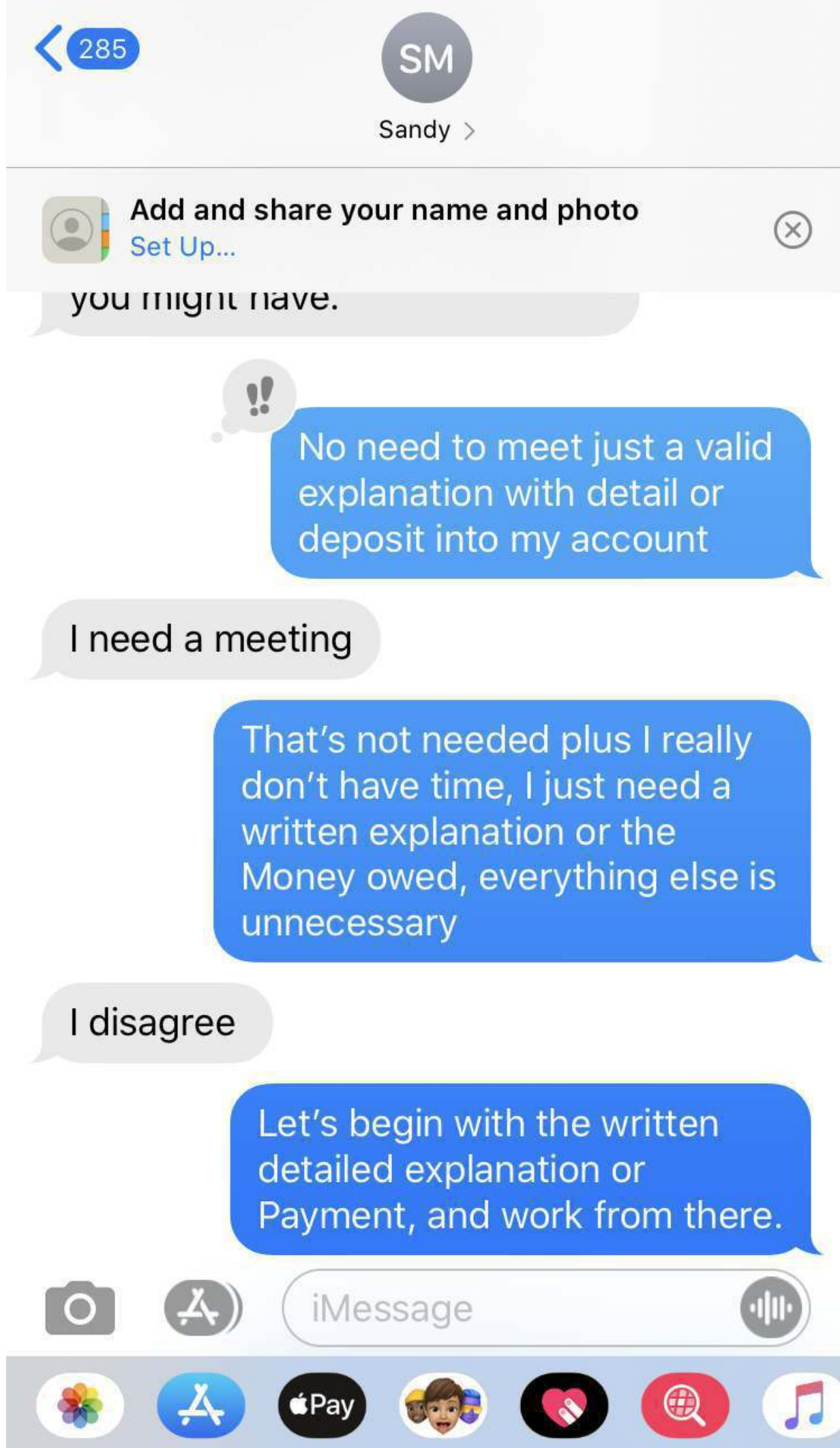
George Jarvis (J).. Austin, esq. (TBA) 06/06/20
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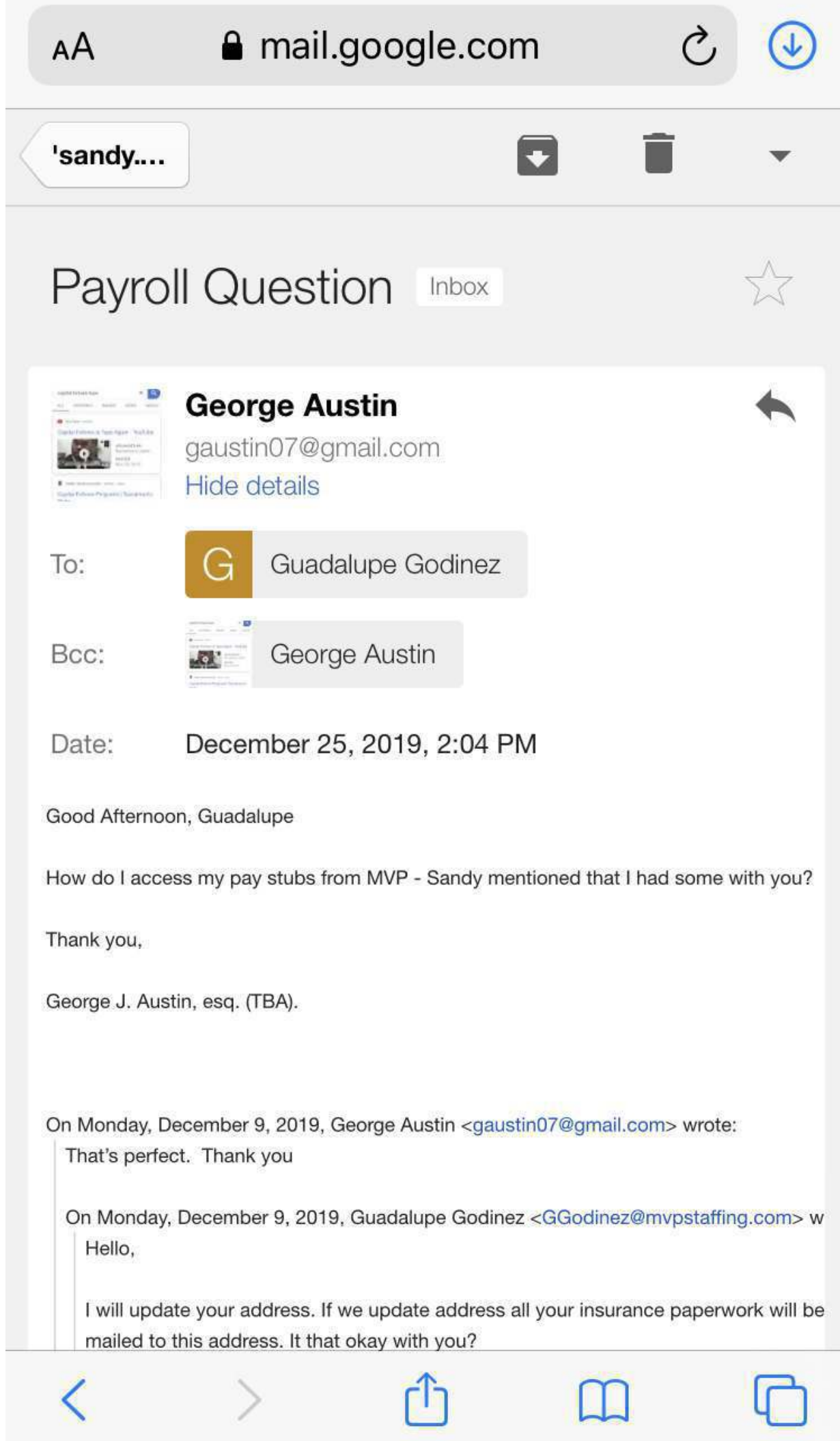
Additionally, plaintiff tried to proactively break down the elements and ask for verification by Sandy, and Defendants, as Plaintiff wasn't sure if she realized that she was incurring, and potentially magnifying, legal liability for Defendants (and tried to provide an out). Ms. Malloy doubled down, without evidence, and solidified the liability incurring statements, and actions. See attached.

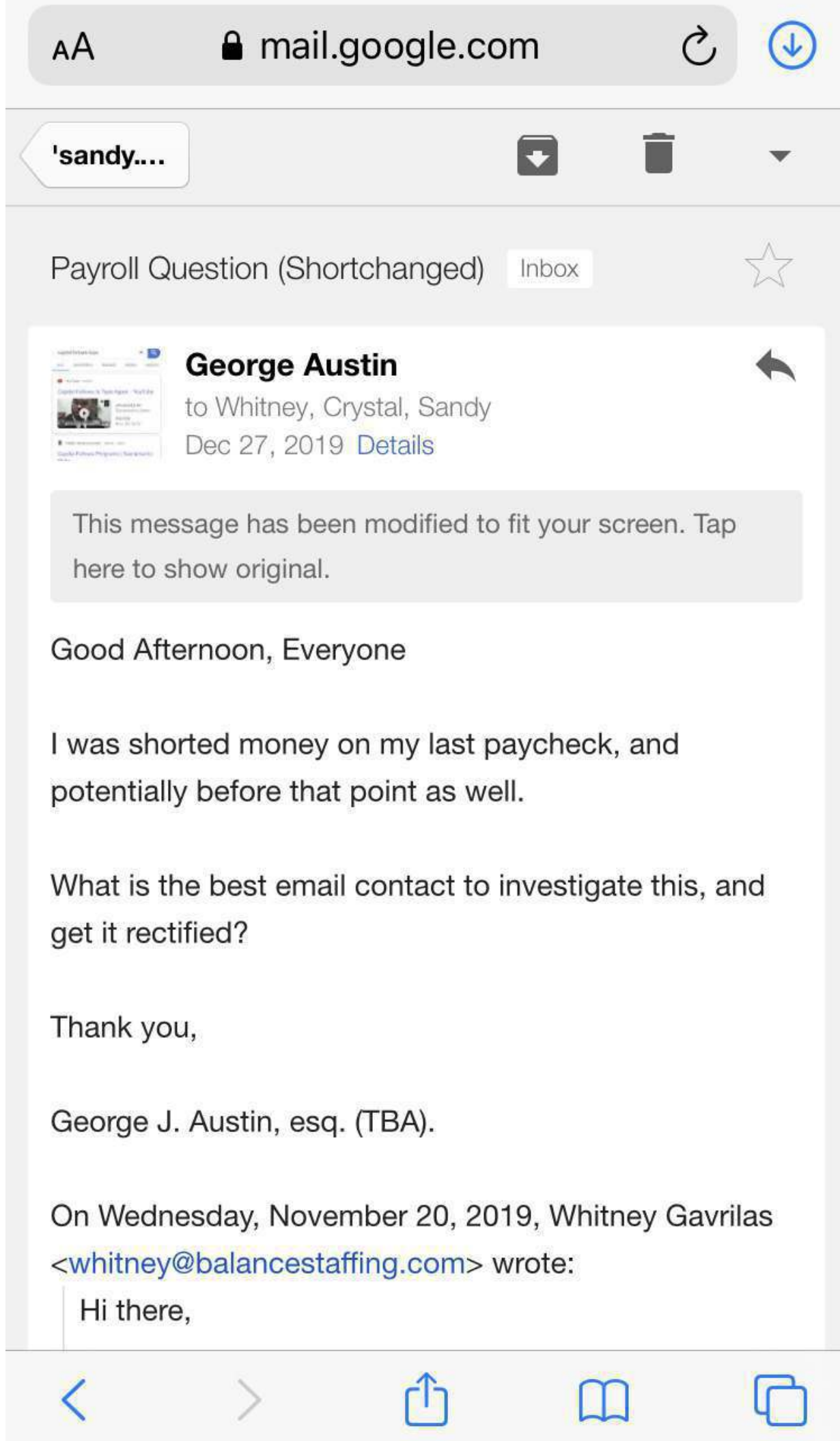
Plaintiff, (University of California, Berkeley Graduate (09'), Honors Student, Bay Area Housing Commissioner, Alum, NAACP National Representative, and Local Youth and College President, Alum, California Senate, Capital Fellows, Senate Fellows Top 10 out of 800+ Nationally Ranked, Alum (13'), UCLA Law, and Anderson Riordan MBA Fellows, Alum (08', 13'), T-14 Law Student, as well as others), and Attorney of Record, Mr. George Jarvis (J.) Austin, esq. (TBA) has also tried repeatedly to resolve the issue outside of litigation, but no amenable option, or alternative, was provided by Defendants. Specifically, Plaintiff exhausted pre-litigation options to try and solve the issue outside of court, avoid any unnecessary litigation, or causes of action, but Defendant employers refused, and further shut down healthy professional, proactive, communication.

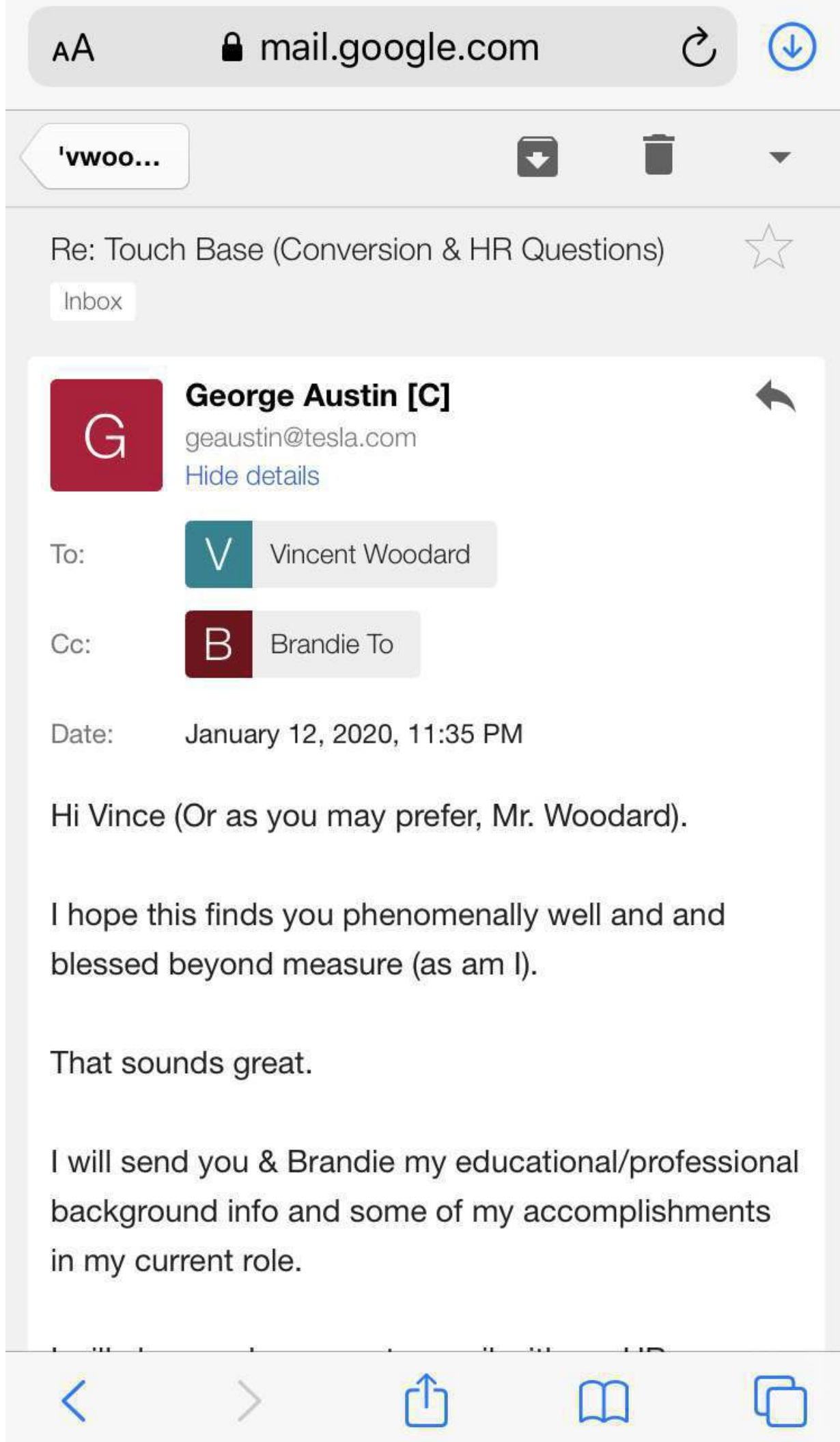












'vwoo...

Re: Touch Base (Conversion & HR Questions)

Inbox



George Austin [C]

geaustin@tesla.com

[Hide details](#)

To:



Vincent Woodard

Cc:



Brandie To

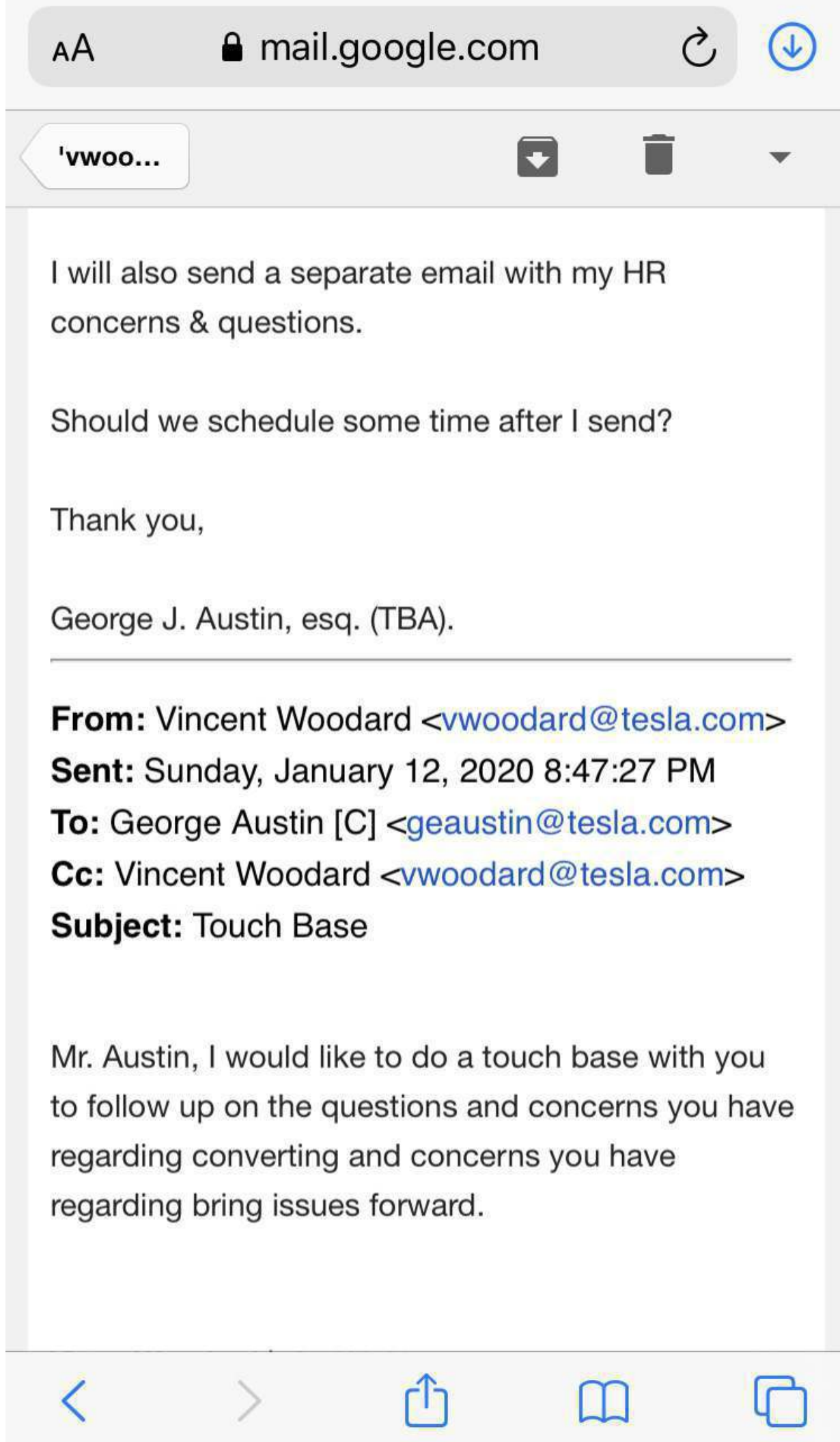
Date: January 12, 2020, 11:35 PM

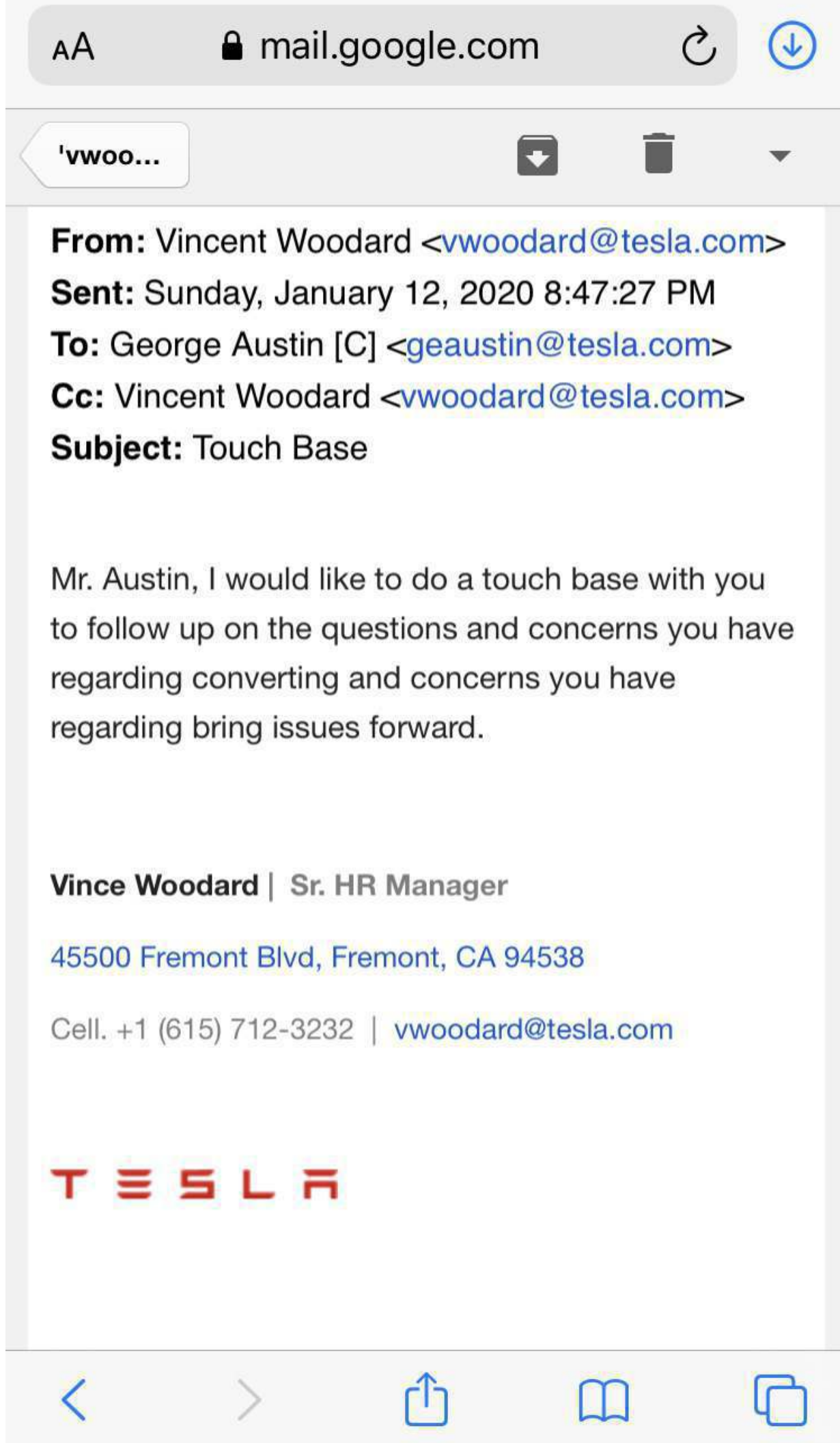
Hi Vince (Or as you may prefer, Mr. Woodard).

I hope this finds you phenomenally well and and
blessed beyond measure (as am I).

That sounds great.

I will send you & Brandie my educational/professional
background info and some of my accomplishments
in my current role.





From: Vincent Woodard <vwoodard@tesla.com>

Sent: Sunday, January 12, 2020 8:47:27 PM

To: George Austin [C] <geaustin@tesla.com>

Cc: Vincent Woodard <vwoodard@tesla.com>

Subject: Touch Base

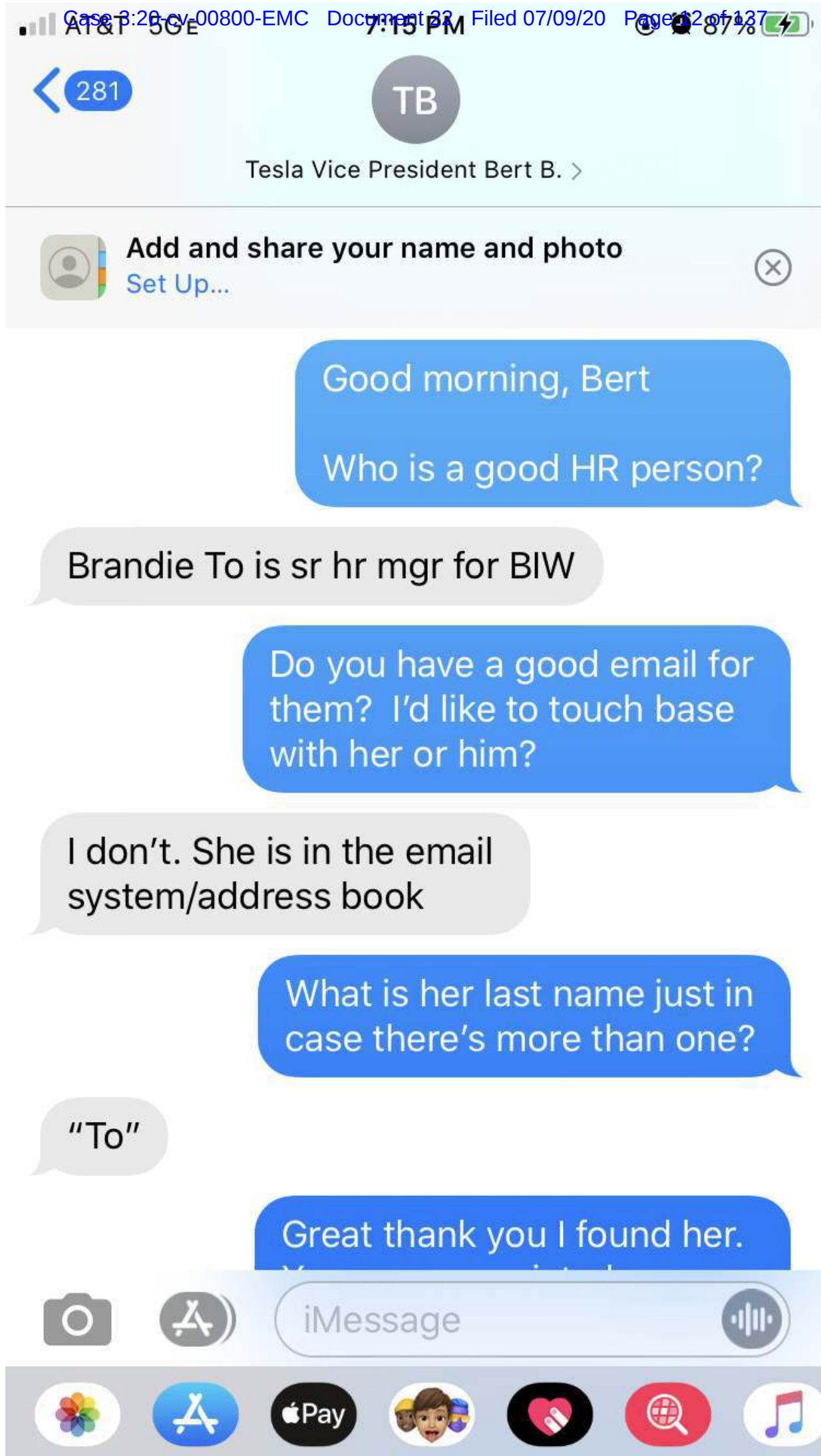
Mr. Austin, I would like to do a touch base with you to follow up on the questions and concerns you have regarding converting and concerns you have regarding bring issues forward.

Vince Woodard | Sr. HR Manager

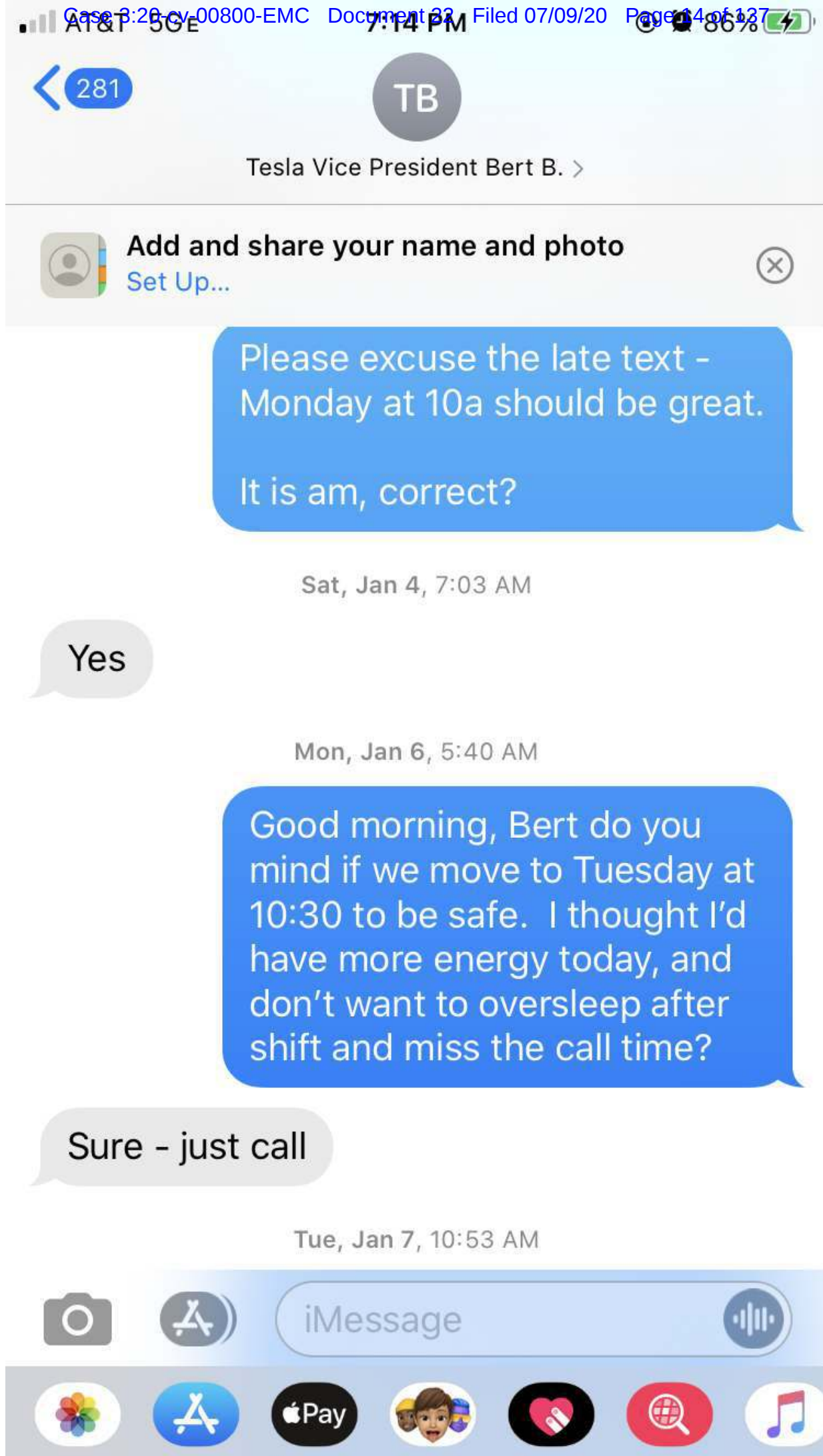
45500 Fremont Blvd, Fremont, CA 94538

Cell. +1 (615) 712-3232 | vwoodard@tesla.com

T E S L A







[Written Transcription from Sandy Malloy - Defamation Per Se]

☐ Hi George, this is Sandy from Balance Staffing, um since I know you are not going to pick up the phone, I'm going to leave this information letting you know, that I'm aware that you had a meeting with Alexandra, and the Tesla HR this week, as a result of that we are ending your assignment, due to a violation of California Penal Code, in regards to recording a supervisor without his consent, your final paycheck can be picked up today after 5pm, if you don't pick it up today it will be mailed by FedEx, um yeah so if you want to discuss this just give me a call, you have my number☐ - Sandy Malloy, Balance Staffing [Speaking on Behalf of All Defendants]

Voicemail

Edit



Sandy Malloy


message


call


FaceTime


mail


pay

January 14, 2020

8:58 AM Missed Call

phone

+1 (209) 3[REDACTED]

FaceTime



Notes

Send Message

Done



< Voicemail

Edit



Sandy Malloy



message



call



FaceTime



mail



pay

January 14, 2020

8:58 AM Missed Call

phone

+1 (209) 3 [REDACTED]

FaceTime



Notes

Send Message



Favorites



Recents



Contacts



Keypad



Voicemail



Cancel



Save

Item will be saved to "Downloads" on iCloud Drive.



voicemail-233



iCloud Drive



Downloads



On My iPhone



George Jarvis (J).. Austin, esq. (TBA) 06/06/20
Austin v. Tesla, et. al. Case # 3:20-cv-00800
P.O. Box 1832 Oakland, CA 94604, or alternatively
240 E. Channel St. #431 Stockton, CA 95202

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE J. AUSTIN, Plaintiff,

PARTIAL WAGE AFFIDAVIT

Re: Dkt. Nos. 12, 16-19

v.

TESLA., et al., Defendants.

Case No. 3:20-cv-00800

George Jarvis (J).. Austin, esq. (TBA) 06/06/20
Austin v. Tesla, et. al. Case # 3:20-cv-00800
P.O. Box 1832 Oakland, CA 94604, or alternatively
240 E. Channel St. #431 Stockton, CA 95202

Pursuant to Rule 26 *Duty to Disclose; General Provisions Governing Discovery*, Rule 56(c), and Rule 44 *Proving an Official Record* Plaintiff moves to file a Partial Wage Affidavit independently verified twice, already, by the State of California, and an auditing unit in their auspices within the Employment Development Department. See attached (redacted). These undisputed, but partial Plaintiff's, George J. Austin, wages have also been separately verified by the Internal Revenue Service (Federal, and State, Taxes have been filed, and accepted), Chase Bank, Consumer Financial Protection Bureau, and Federal Trade Commission (see attached letter), as well as other independent metrics. This is only a portion, full discovery, including disclosure, subpoenas, if necessary, and full proper investigation will tell the more complete, and full story, of converted, or stolen, funds.

Plaintiff, (University of California, Berkeley Graduate (09'), Honors Student, Bay Area Housing Commissioner, Alum, NAACP National Representative, and Local Youth and College President, Alum, California Senate, Capital Fellows, Senate Fellows Top 10 out of 800+ Nationally Ranked, Alum (13'), UCLA Law, and Anderson Riordan MBA Fellows, Alum (08', 13'), T-14 Law Student, as well as others), and Attorney of Record, Mr. George Jarvis (J.) Austin, esq. (TBA) has also asked local law enforcement to look into independently, and formally filed a local police report (see attached). Specifically, Plaintiff exhausted pre-litigation options to try and solve the issue outside of court, avoid any unnecessary litigation, or causes of action, but Defendant employers refused. See attached.

Executive Office (Mail Code OH4-7120)
3415 Vision Drive
Columbus, OH 43219

February 26, 2020

000006 - 1 of 1 NSP0MCL0-Z1 0 000000

George J. Austin
240 E. Channel St., Apt. 431
Stockton, CA 95202 -4200

CHASE 

John Chase Bank, N.A.

Consumer Banking
2866 W. Main
Stockton, CA 95219
Phone: 209.474.2093
Fax: 855.811.7584
Service Line: 800.935.9935
alec.cavagnaro@chase.com

CHASE 



Please send more information so we can research your request

Dear George J. Austin:

We are responding to your complaint to the Consumer Financial Protection Bureau about your fraud inquiry regarding a series of payroll checks. Thank you for sharing your concerns.

We called you on February 19, 2020, because we need more details to begin our research. Please send us the account number or a copy of the payroll checks in question. Once we receive more information, we will further review your request. If you still need help, please call us.

If you have questions, please call us at 1-877-658-5560 and reference case number ECW200213-07534. We accept operator relay calls. We're here Monday through Friday from 7 a.m. to 8 p.m. and Saturday from 8 a.m. to 5 p.m. Central Time.

Sincerely,

Executive Office
1-877-658-5560
1-866-535-3403 Fax; it's free from any Chase branch
chase.com

cc: Consumer Financial Protection Bureau, Complaint ID 200213-4750960

Esta comunicación contiene información importante. Si tiene alguna pregunta o necesita ayuda para traducirla, comuníquese con nosotros llamando al 1-877-658-5560, de lunes a viernes de 7 a.m. a 8 p.m., sábados de 8 a.m. a 5 p.m. hora del Centro.

**Notice Of Computation (DE 429D)**

Issue Date:	05-04-2020
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Claimant Information

Name:	George J Austin	Address:	
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Benefit Information

	Your Weekly Benefit Amount is (\$):	
	Your Claim Effective Date:	04-20-2020

Wage Information

Your Name	Employer	Jan-Mar '19 (\$)	Apr-Jun '19 (\$)	Jul-Sep '19 (\$)	Oct-Dec '19 (\$)
*GEORGE AUSTIN	BALANCE STAFFING WORKFORCE LLC	0.00	0.00	7,800.00	0.00
*GEORGE AUSTIN	MVP STAFFING	0.00	0.00	7,800.00	0.00
Quarter Total:		0.00	0.00	15,600.00	0.00
Total Wages (\$):		0.00	0.00	15,600.00	0.00

Good Afternoon, (Alejandra) & EDD DSI

Attached here is the wage information for the appropriate quarter October-December which qualifies for the maximum weekly benefit according to EDD's formula. "To qualify for the maximum weekly benefit amount ... you must earn at least \$28,145.01." Similar to the previously listed the two companies (Balance/MVP [REDACTED]) for the Oct-Dec Quarter: See below (and attachments following)

Notice Of Computation (DE 429D)

Issue Date: 05-04-2020

BALANCE STAFFING WORKFORCE LLC:

[REDACTED] (Oct-Dec. Quarter)

MVP STAFFING:

[REDACTED] = \$14. [REDACTED] (Oct-Dec. Quarter)

MVP wages + Balance Wages = 2 [REDACTED] (Oct-Dec. Quarter) which is greater than the threshold for max benefits. I've attached wave and W2 information. Balance Staffing did not provide a W-2, yet though I've requested multiple times. However, I did include the last pay stub from that quarter see attached. I've also included some other Identifying information and IDs for verification purposes.

Thank you,

George J. Austin, esq. (TBA).

T-14 law student, 3L (on Sabbatical)

Attorney of Record, Plaintiff

Multiple Law Federal Lawsuits

California Senate/Capital Fellow/Senate Fellow, Alum

University of California, Berkeley, Alum

National Representative, & Local President, NAACP,

Youth and College, Alum

Bay Area Housing Commissioner, Alum

BALANCE STAFFING - MODESTO (143)

Employee ID

Check Date

Soc-Sec-Num

Period Start

Period End

Check No

George J Austin

Federal Tax-Status S Allowances

State Tax - Status S Allowances 0/0

CURRENT EARNINGS DETAIL							DEDUCTIONS / TAXES		
Date	Description	Rate	Hours	Amount	Site		Description	Amount	Y-T-D
							GARNISHMENT		
							MEDICAL 125		
							DENTAL 125		
							ACCIDENT		
							VISION125		
							FEDERAL TAX		
							MEDICARE		
							SOC SECURITY		
							CA DISABILITY		

Total(s):

Type	DIRECT DEPOSIT	Account	Amount	Net Pay
CHECKING				

Net Pay YTD

Total:

\$16

Total(s):

Y-T-D EARNINGS		PAID TIME OFF					EMPLOYER CONTRIBUTIONS		
Description	Amount	Desc	C/O	Accrued	Used	Bal	Description	Amount	Y-T-D
REGULAR PAY		CA SICK PAY	0.00	32.00	0.00	32.00			
OVERTIME									

Total:

Total(s):

0.000.00

PERSONNEL STAFFING GROUP, LLC
1751 LAKE COOK ROAD, SUITE 600
DEERFIELD, IL 60015
(847) 663-4300

Build: RRT-3172

Query: HRP_CHECKS.MVQ Version: Legal_PTO_Arial 19.10.193

Personnel Staffing Group, LLC
BALANCE STAFFING
2142 BERING DRIVE
SAN JOSE, CA 95131

Pay: Non-negotiable

To The George J Austin
Order 2107 Montauban Ct
Of: STOCKTON, CA 95210

Personnel Staffing Group, LLC
BALANCE STAFFING
2142 BERING DRIVE
SAN JOSE, CA 95131

MODESTO
BALMOD
BSS

145 MODESTO BALSTO
George J Austin
2107 Montauban Ct
STOCKTON, CA 95210

**Copy B – To Be Filed With Employee's
FEDERAL Tax Return.**

OMB No. 1545-0048

a Employee's soc. sec. no.		1 Wages, tips, other comp.	2 Federal income tax withheld
		220	
b Employer ID number (EIN)		3 Social security wages	4 Social security tax withheld
01-0759364			
		5 Medicare wages and tips	6 Medicare tax withheld
c Employer's name, address, and ZIP code			
Personnel Staffing Group, LLC 1751 Lake Cook Road, Suite 600 Deerfield, IL 60015			
d Control number			
e Employee's name, address, and ZIP code Suff.			
GEORGE J AUSTIN 2107 MONTAUBAN CT STOCKTON, CA 95210			
7 Social security tips	8 Allocated tips	9	
10 Dependent care benefits	11 Nonqualified plans	12a Code. See inst. for box 12	
		DD	
13 Statutory employee	14 Other	12b Code	
Retirement plan	CASD	12c Code	
Third-party sick pay		12d Code	
CA			
15 State Employer's state ID number	16 State wages, tips, etc.	17 State income tax	
18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form W-2 Wage and Tax Statement
This information is being furnished to the Internal Revenue Service.**2019**Dept. of the Treasury -- IRS
www.irs.gov/efile**Copy 2 – To Be Filed With Employee's
State, City, or Local Income Tax Return.**

OMB No. 1545-0048

a Employee's soc. sec. no.		1 Wages, tips, other comp.	2 Federal income tax withheld
b Employer ID number (EIN)		3 Social security wages	4 Social security tax withheld
01-0759364			
		5 Medicare wages and tips	6 Medicare tax withheld
c Employer's name, address, and ZIP code			
Personnel Staffing Group, LLC 1751 Lake Cook Road, Suite 600 Deerfield, IL 60015			
d Control number			
e Employee's name, address, and ZIP code Suff.			
GEORGE J AUSTIN 2107 MONTAUBAN CT STOCKTON, CA 95210			
7 Social security tips	8 Allocated tips	9	
10 Dependent care benefits	11 Nonqualified plans	12a Code	
		DD	
13 Statutory employee	14 Other	12b Code	
Retirement plan	CASD	12c Code	
Third-party sick pay		12d Code	
CA			
15 State Employer's state I.D. number	16 State wages, tips, etc.	17 State income tax	
18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form W-2 Wage and Tax Statement**2019**

Dept. of the Treasury -- IRS

**Copy C – For EMPLOYEE'S RECORDS (See
Notice to Employee on the back of Copy B.)**41-0852411
OMB No. 1545-0008

a Employee's soc. sec. no.		1 Wages, tips, other comp.	2 Federal income tax withheld
b Employer ID number (EIN)		3 Social security wages	4 Social security tax withheld
		5 Medicare wages and tips	6 Medicare tax withheld
c Employer's name, address, and ZIP code			
Personnel Staffing Group, LLC 1751 Lake Cook Road, Suite 600 Deerfield, IL 60015			
d Control number			
e Employee's name, address, and ZIP code Suff.			
GEORGE J AUSTIN 2107 MONTAUBAN CT STOCKTON, CA 95210			
7 Social security tips	8 Allocated tips	9	
10 Dependent care benefits	11 Nonqualified plans	12a Code. See inst. for box 12	
		DD	
13 Statutory employee	14 Other	12b Code	
Retirement plan	CASD	12c Code	
Third-party sick pay		12d Code	
CA			
15 State Employer's state I.D. number	16 State wages, tips, etc.	17 State income tax	
18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form W-2 Wage and Tax Statement**2019**

This information is being furnished to the IRS. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.

Dept. of the Treasury -- IRS

**Copy 2 – To Be Filed With Employee's State,
City, or Local Income Tax Return.**41-0852411
OMB No. 1545-0008

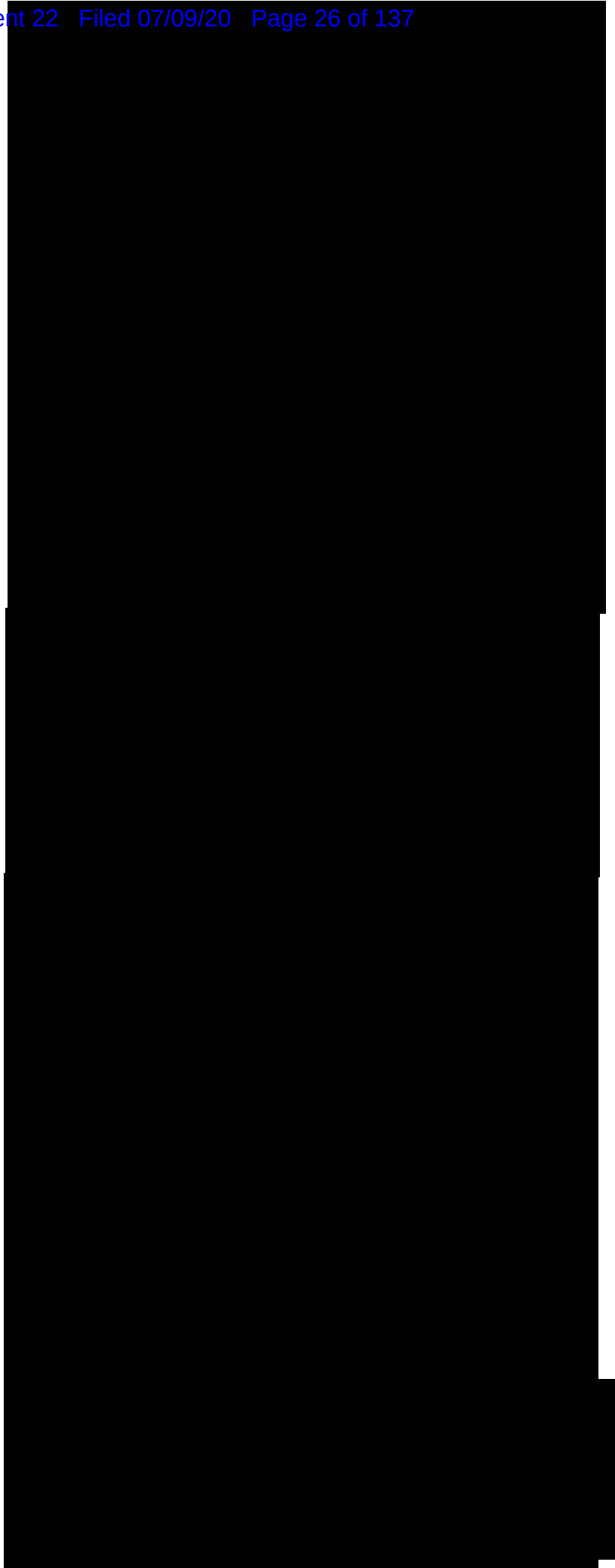
a Employee's soc. sec. no.		1 Wages, tips, other comp.	2 Federal income tax withheld
b Employer ID number (EIN)		3 Social security wages	4 Social security tax withheld
		5 Medicare wages and tips	6 Medicare tax withheld
c Employer's name, address, and ZIP code			
Personnel Staffing Group, LLC 1751 Lake Cook Road, Suite 600 Deerfield, IL 60015			
d Control number			
e Employee's name, address, and ZIP code Suff.			
GEORGE J AUSTIN 2107 MONTAUBAN CT STOCKTON, CA 95210			
7 Social security tips	8 Allocated tips	9	
10 Dependent care benefits	11 Nonqualified plans	12a Code	
		DD	
13 Statutory employee	14 Other	12b Code	
Retirement plan	CASD	12c Code	
Third-party sick pay		12d Code	
CA			
15 State Employer's state I.D. number	16 State wages, tips, etc.	17 State income tax	
18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form W-2 Wage and Tax Statement**2019**

Dept. of the Treasury -- IRS

L4UP

5205



EARNINGS STATEMENT IMPORTANT - KEEP FOR YOUR RECORDS

Mail to Employee

Name: **GEORGE J AUSTIN**

Check Date:

Check #

SSN:

EE ID:

Branch: Stockton - BSS

Balance Staffing Solutions

2750 N. Cherryland Ave

Stockton, CA 95215

Week Worked	Customer - Department	Type	Hours	Pay Rate	Total Pay	YTD Hrs.	YTD Pay
	TESLA, INC - Primary	Reg					
	TESLA, INC - Primary	OT					

Tax Name	Taxable Grs.	Tax Amt.	YTD Tax
Federal Income Ta			
FICA EE			
MED EE			
CA WH			
CALIFORNIA SDI E			

Bank Name	Amount	Account No.	Plan	Accrual Hrs.	Deplete Hrs.	Balance
RAPID			Sick Leave_CA	1.14	0.00	32.62

YTD Gross	
Gross Amt.	
Net Amt.	
Check Number	

Balance Staffing Solutions
2750 N. Cherryland Ave
Stockton, CA 95215

GEORGE J AUSTIN
2107 MONTAUBAN CT
Stockton, CA 95210



Austin wants to be sheriff

Look out Tom Tramel, there may be a future sheriff in town.

Five-year-old George Jarvis Austin attends the Kindergarten Center and he wants to be a police officer or a sheriff when he grows up.

Son of Charlotte Hall-Austin, George has begun his school career with a positive attitude. "George is an enthusiastic learner and he is a well-liked and caring person," says one of his teachers.

His interests include T-ball and books, especially the Berenstein Bears series.

According to Principal Earl Watts, "George is a very smart child. He is totally involved in all classroom activities and loves school. With George's ability, I think he can accomplish his goals in life."



SENATE GOVERNANCE & FINANCE COMMITTEE
Senator Lois Wolk, Chair

BILL NO: AB 458
AUTHOR: Wieckowski
VERSION: 2/19/13
CONSULTANT: Austin

HEARING: 8/14/13
FISCAL: Yes
TAX LEVY: Yes

INCOME TAXES: DEDUCTIONS: PUNITIVE DAMAGES

Repeals authority to deduct punitive damages on personal and corporate tax filings.

Background and Existing Law

Current law authorizes individuals and corporations to file tax deductions for the payment of monetary damages in legal cases. Under existing law plaintiffs can seek "punitive" or "exemplary" damages in legal cases where the defendant is guilty of "oppression, fraud, or malice." "Malice" means conduct which is intended by the defendant to cause injury or despicable conduct that is carried on with a willful and conscious disregard of the rights or safety of others. "Oppression" means despicable conduct that subjects a person to cruel and unjust hardship in conscious disregard of that person's rights. "Fraud" means an intentional misrepresentation, deceit, or concealment of a material fact known to the defendant with the intention on the part of the defendant of thereby depriving a person of property or legal rights or otherwise causing injury.

California courts hold that punitive damages punish the defendant and deter similar conduct. The goal of deterrence of similar conduct is both for the specific defendant who may repeat or continue offensive behavior and to other potential parties who may commit similar offenses. Punitive damages are not intended to compensate a plaintiff unlike compensatory damages, which are intended for compensation.

The Book of Approved Jury Instructions (BAJI) provides that a jury should consider two factors to determine the amount of punitive damages to award:

- The reprehensibility of the defendant's conduct.
- The amount of punitive damages, which will have a deterrent effect on the defendant in the light of defendant's financial condition.

In addition, a defendant may ask that a jury be instructed to consider that the punitive damages bear a reasonable relation to the injury, harm, or damage actually suffered by the plaintiff.

Tax deductions are generally used to encourage certain behaviors. State law allows taxpayers to deduct ordinary and necessary business expenses incurred in trade or business. Firms that pay punitive damages can deduct those damages as an ordinary and necessary business expense.

California has never affirmatively adopted the policy of allowing punitive damages to be tax deductible as a normal and necessary cost of doing business. Instead, California conforms to the federal rule allowing deductions for ordinary and necessary business expenses (26 U.S.C. §162(f)). The federal deduction is also not found in the U.S. Internal Revenue Code. Instead, it is the result of a 1980 IRS administrative ruling (Rev. Rul. 80-211, 1980-2 C.B. 570).

Proposed Law

Assembly Bill 458 prohibits, on or after January 1, 2014, taxpayers from claiming a deduction for amounts paid for punitive damages.

AB 458 provides that no deduction shall be allowed for any amount paid or incurred for punitive damages in connection with any judgment in, or settlement of, any action.

AB 458 applies to taxable years beginning on or after January 1, 2014 and takes effect immediately as a tax levy.

State Revenue Impact

The Franchise Tax Board estimates revenue gains of \$400,000 in 2013-14, \$1 million in 2014-15, and \$1.1 million in 2015-16.

Comments

1. Purpose of the bill. The purpose of punitive damage penalties is to punish and deter egregious misconduct committed with malice, oppression and fraud. This is a higher standard than normal civil liability. According to the author, "Punitive damages should not be tax-deductible as ordinary nor necessary business expenses; they are not like salaries, equipment or operating expenses. They are financial penalties that are intended to serve the same purpose as criminal fines and statutory penalties, which are not deductible." By removing the tax deduction currently allowed for punitive damages paid, AB 458 treats punitive damages differently from ordinary and necessary business expenses and aligns them with the intent of the penalty.

2. Cost of doing business. Punitive damage awards can vary significantly. Expensive judgments can be difficult for businesses to plan for, and a tax deduction provides financial relief. One example of a costly California punitive damage award in 2012 includes UPS. In *Michael Marlo v. United Parcel Service, Inc.*, UPS paid approximately \$16 million dollars in punitive damages for a wrongful termination/retaliation judgment. There are other costs to a business that do not get priced into a punitive damage award. An additional expense is the costs associated with disclosure. Companies usually have to disclose punitive damage judgments which can negatively affect their share price and/or overall enterprise value. Opponents of AB 458 argue that requiring a business to pay an unbudgeted judgment amount could drive up the cost of business, negatively affecting the economy and increasing the cost of goods and services to consumers.

3. Tax Aware Jurors. When juries and judges award punitive damages there is no evidence that they do so with knowledge that punitive damages incurred can be tax deductible. Thus, some defendants are not punished to the degree that the jury intends. In the University of Virginia Law Journal article *Taxing Punitive Damages* authors Gregg D. Polsky and Dan Markel argue that there are two ways to solve that problem. First, the law may be changed to match juror expectations by making punitive damages nondeductible, which is what AB 458 would do in California. Second, you can change the understanding of a juror to include tax awareness. Polsky and Markel argue:

“Tax-aware juries would adjust the amount of punitive damages to impose the desired after-tax cost on the defendant... tax awareness would best solve the under punishment problem even though it does come at the cost of enlarging plaintiff windfalls. However, given the defendant-focused features of current punitive damages doctrine, this cost is not particularly troubling.”

Tax aware jurors may provide an alternative to AB 458. *Should the committee wish to explore this further, and consider requiring that jurors are provided with instructions including the tax deductibility of punitive damages in addition or as an alternative to AB 458, AB 458 should be referred back to Rules Committee for consideration by the appropriate Committee.*

4. Try Again. Assembly Bill 458 replicates AB 1276 (Feuer, 2011), which prohibited a deduction for amounts paid or incurred for punitive damages for taxable years beginning on or after January 1, 2012. AB 1276 failed passage on the Assembly Floor (50-26).

5. Tax increase. Legislative Counsel has assigned a 2/3 vote key to SB 458, as the measure may lead to a tax increase on any taxpayer under Section Three of Article XIII A of the California Constitution.

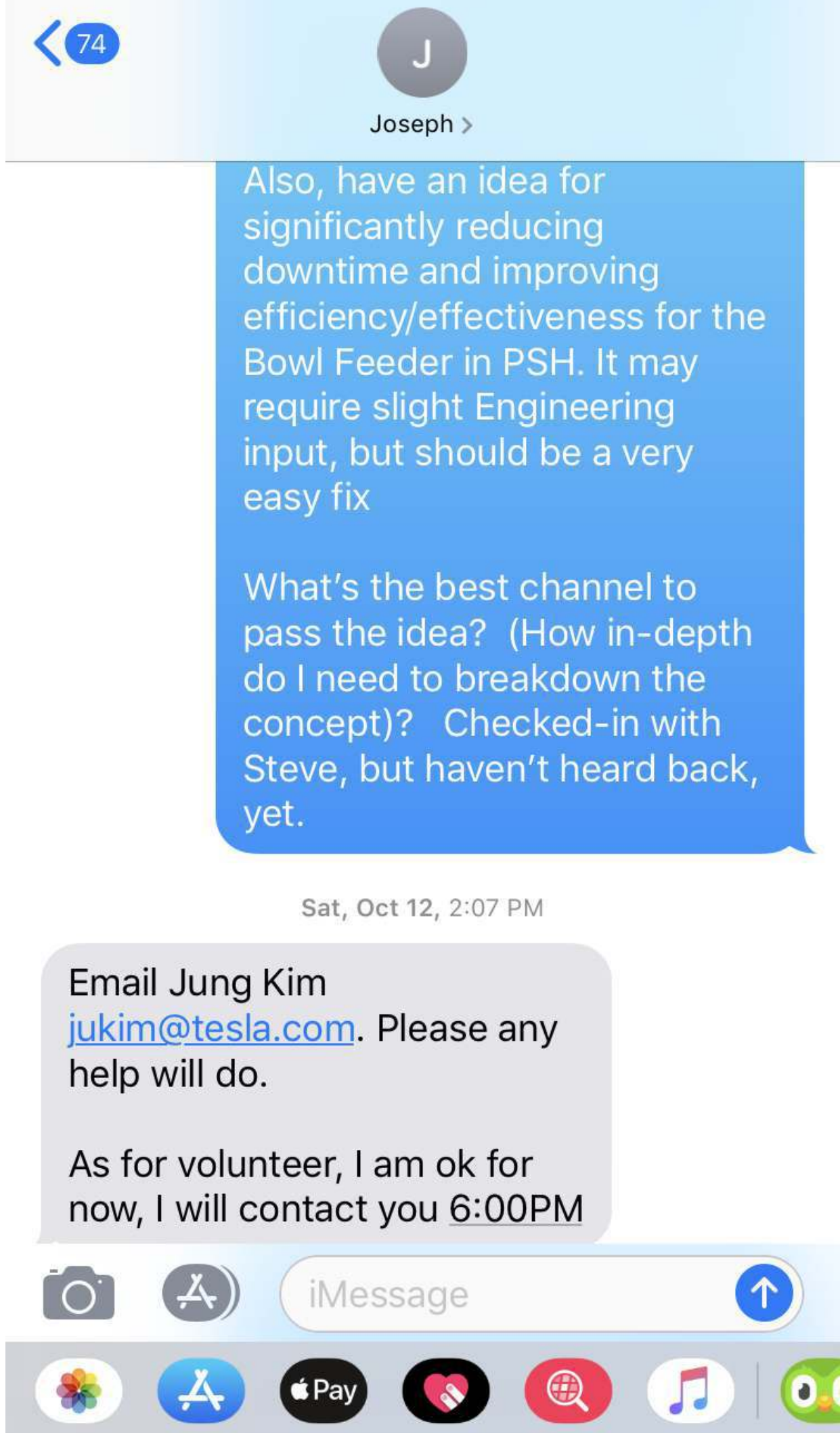
Assembly Actions

Assembly Revenue and Taxation Committee	6-3
Assembly Appropriations Committee	12-5
Assembly Floor	54-25

Support and Opposition (8/8/13)

Support: American Federation of State, County and Municipal Employees, AFL-CIO; California Church Impact; California Employment Lawyers Association; California Labor Federation; California Nurses Association; California Professional Firefighters; California School Employees Association, AFL-CIO; California Tax Reform Association; Consumer Federation of California; Disability Rights California; Mexican American Legal Defense and Educational fund; Public Advocates; SEIU; Western Center on Law and Poverty.

Opposition: California Association for Health Services at Home; California Taxpayers Association; Construction Employers' Association.



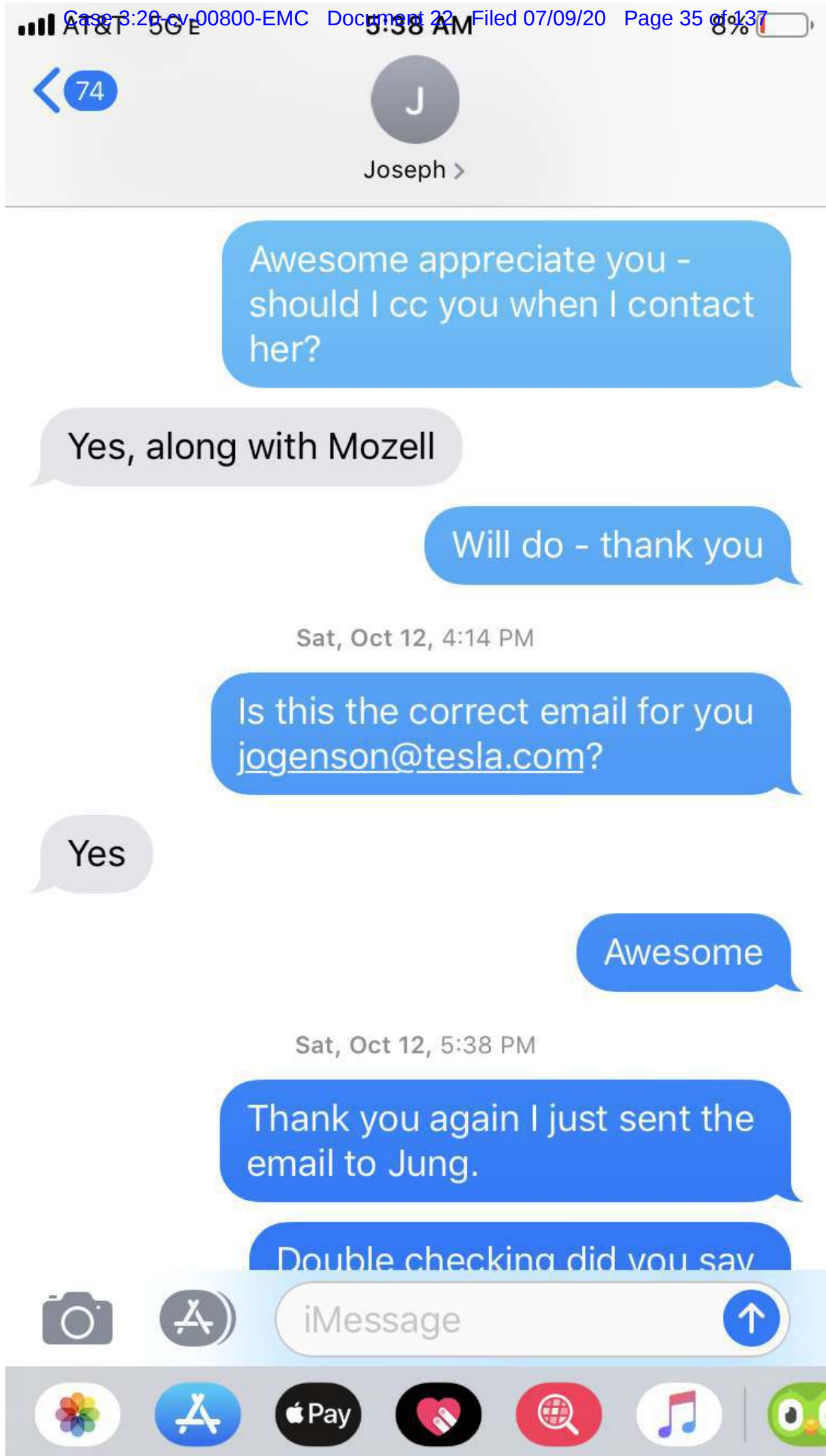
Also, have an idea for significantly reducing downtime and improving efficiency/effectiveness for the Bowl Feeder in PSH. It may require slight Engineering input, but should be a very easy fix

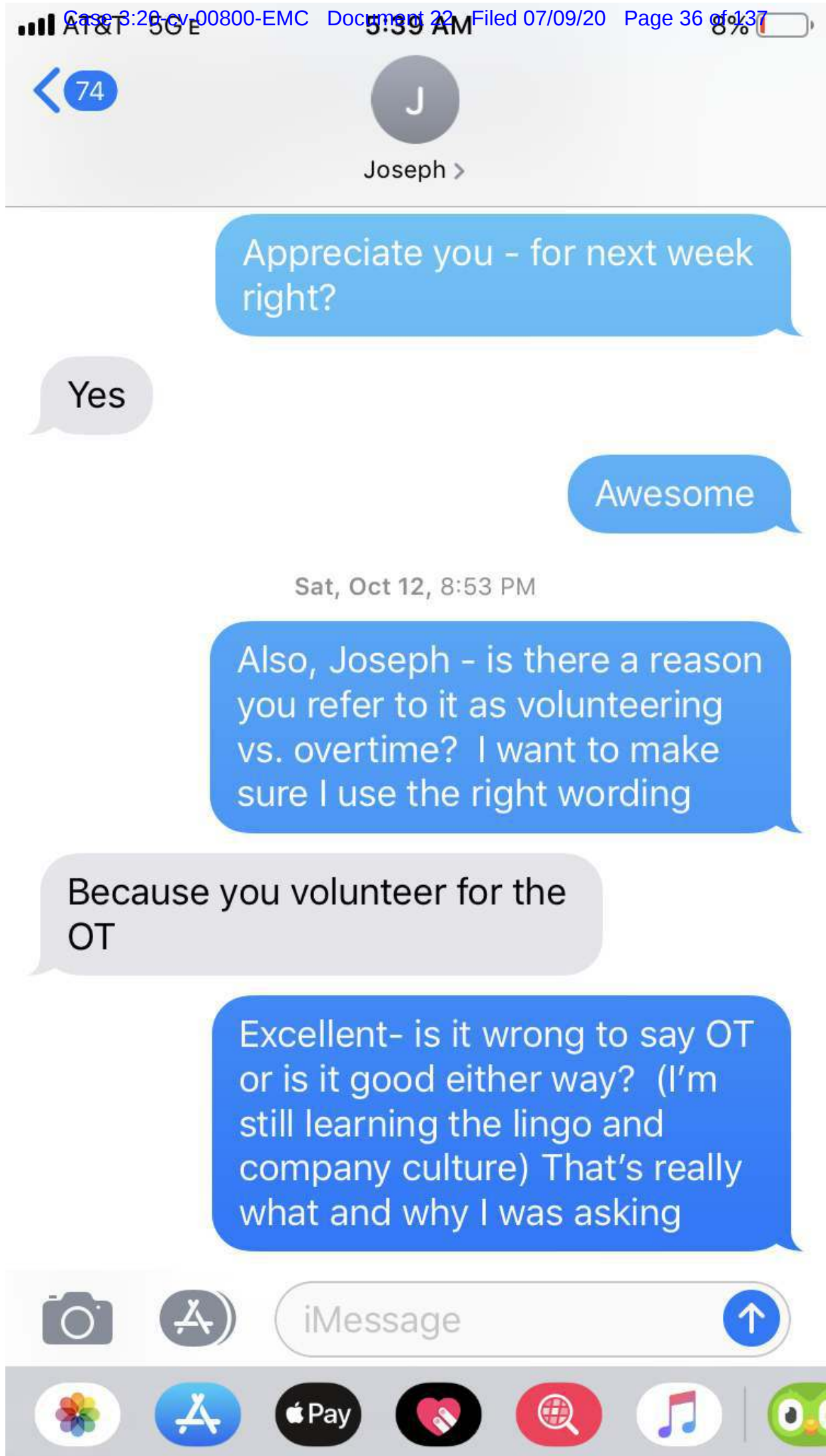
What's the best channel to pass the idea? (How in-depth do I need to breakdown the concept)? Checked-in with Steve, but haven't heard back, yet.

Sat, Oct 12, 2:07 PM

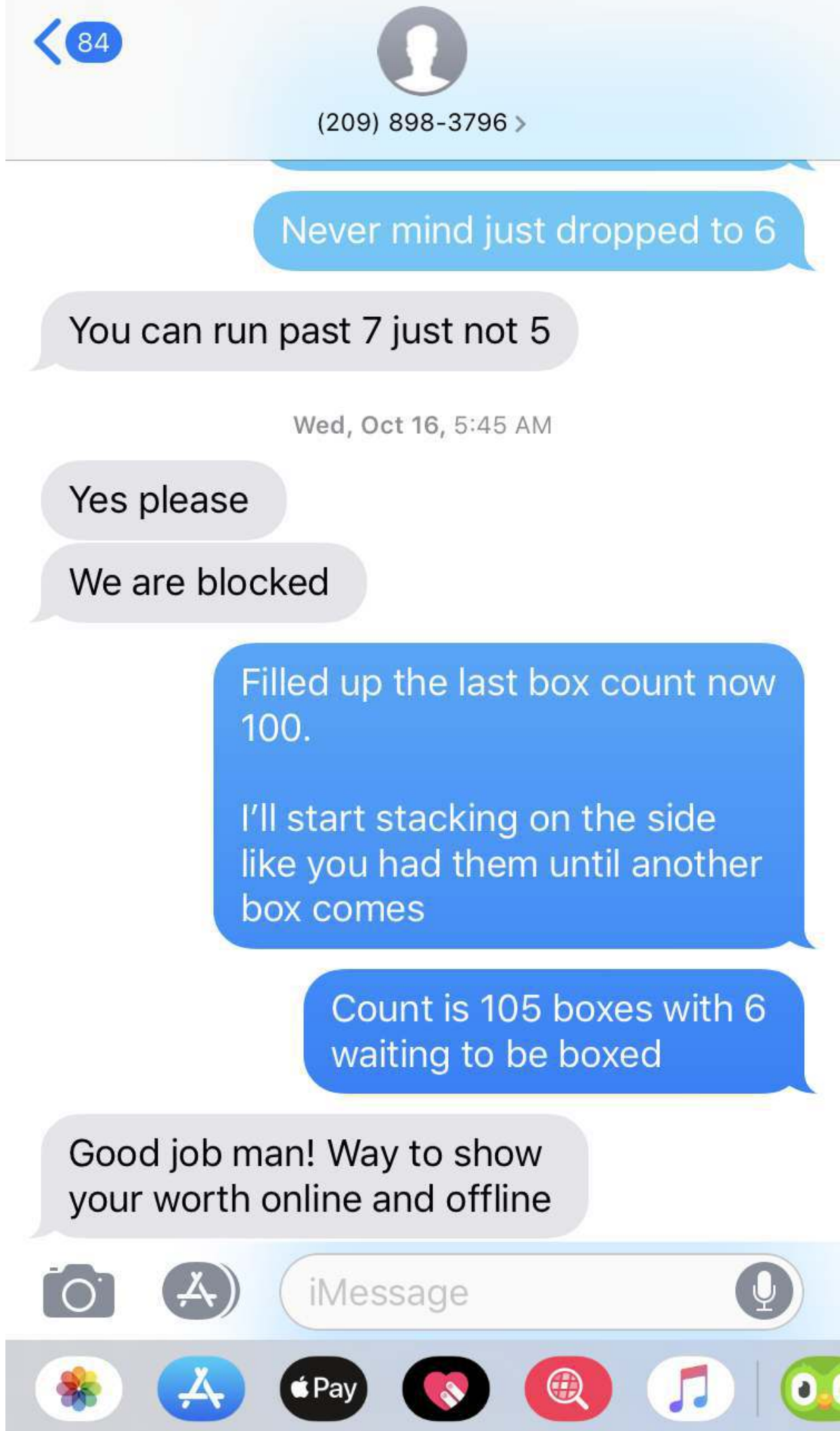
Email Jung Kim
jukim@tesla.com. Please any help will do.

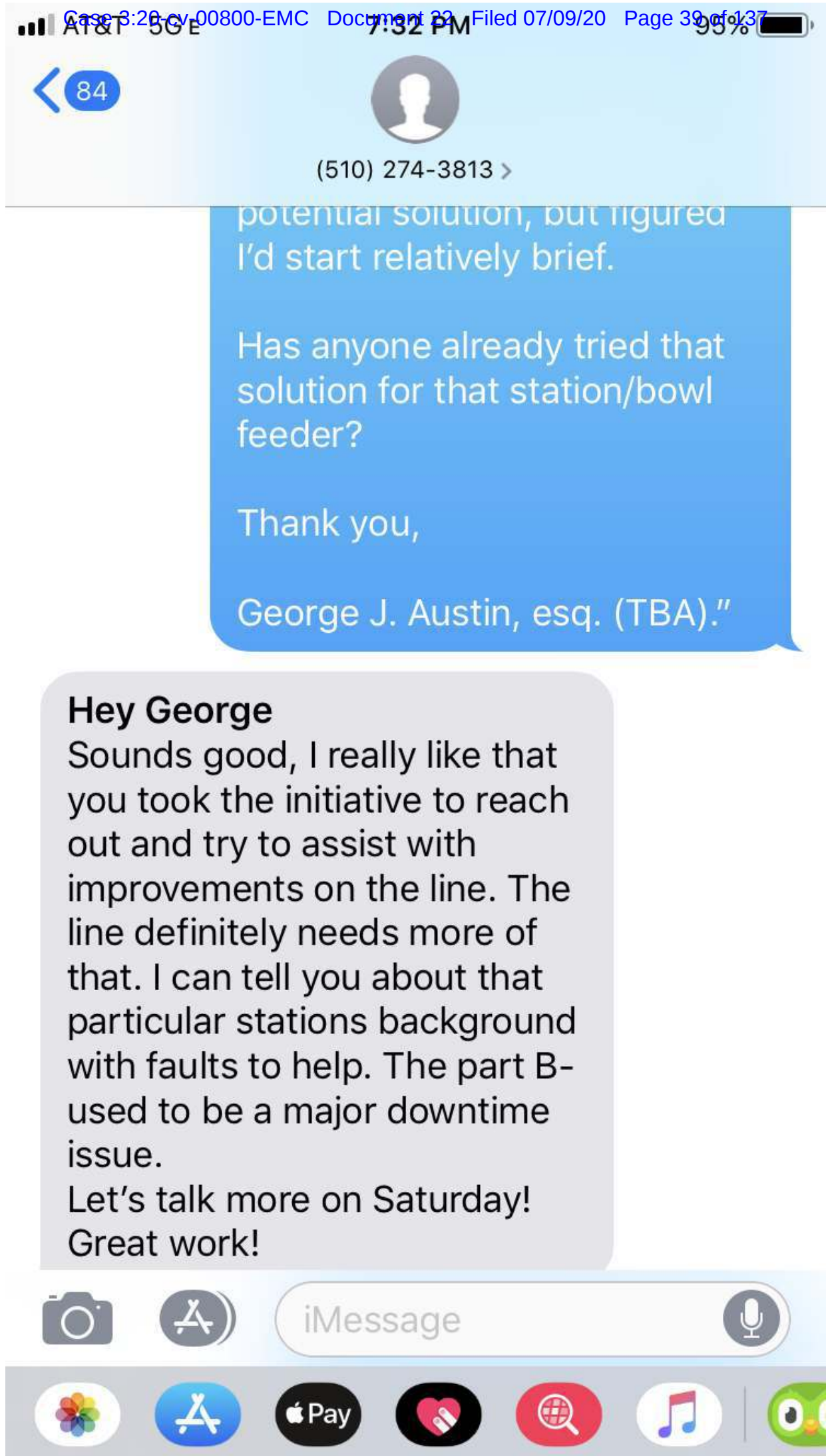
As for volunteer, I am ok for now, I will contact you 6:00PM

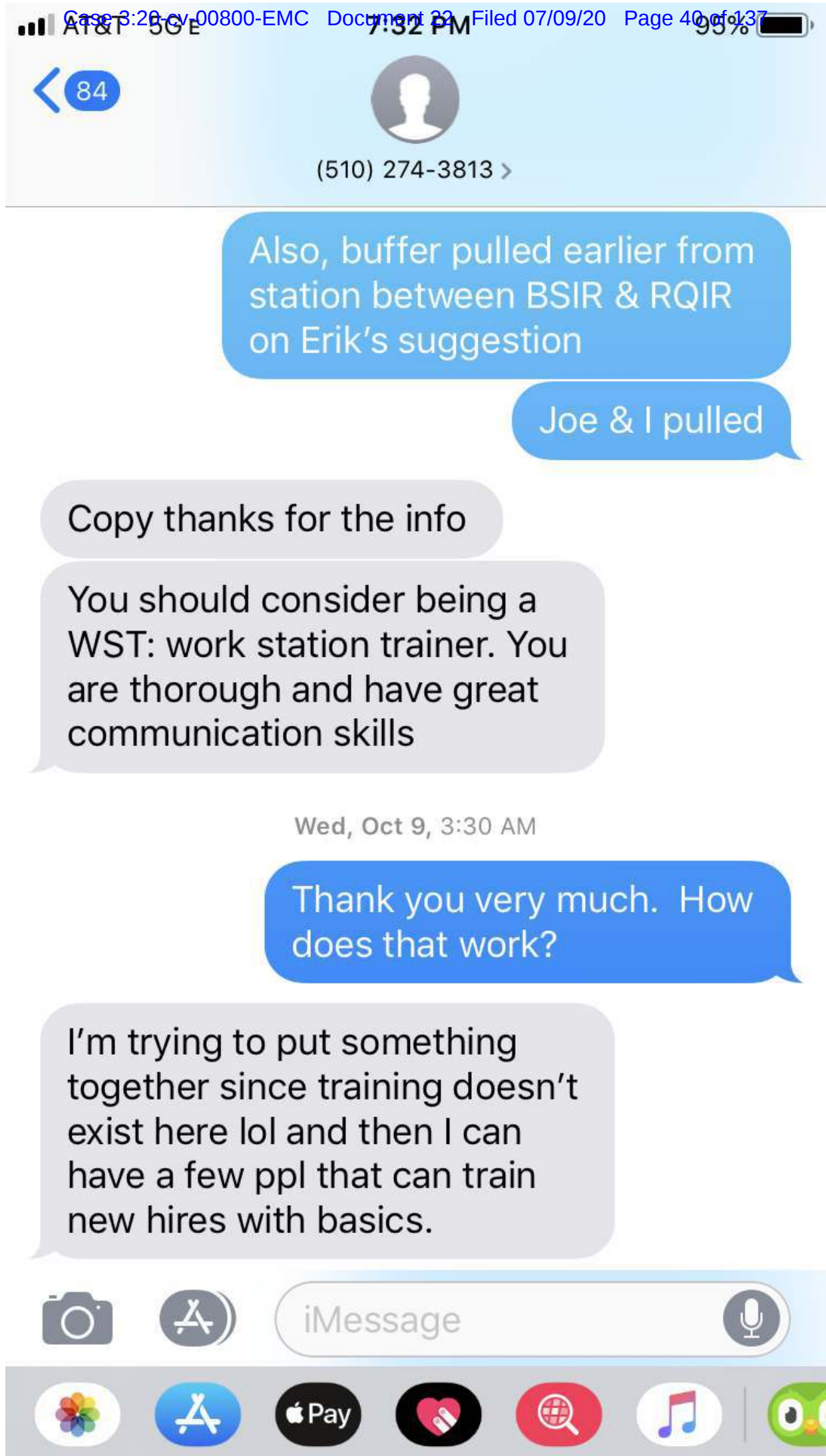


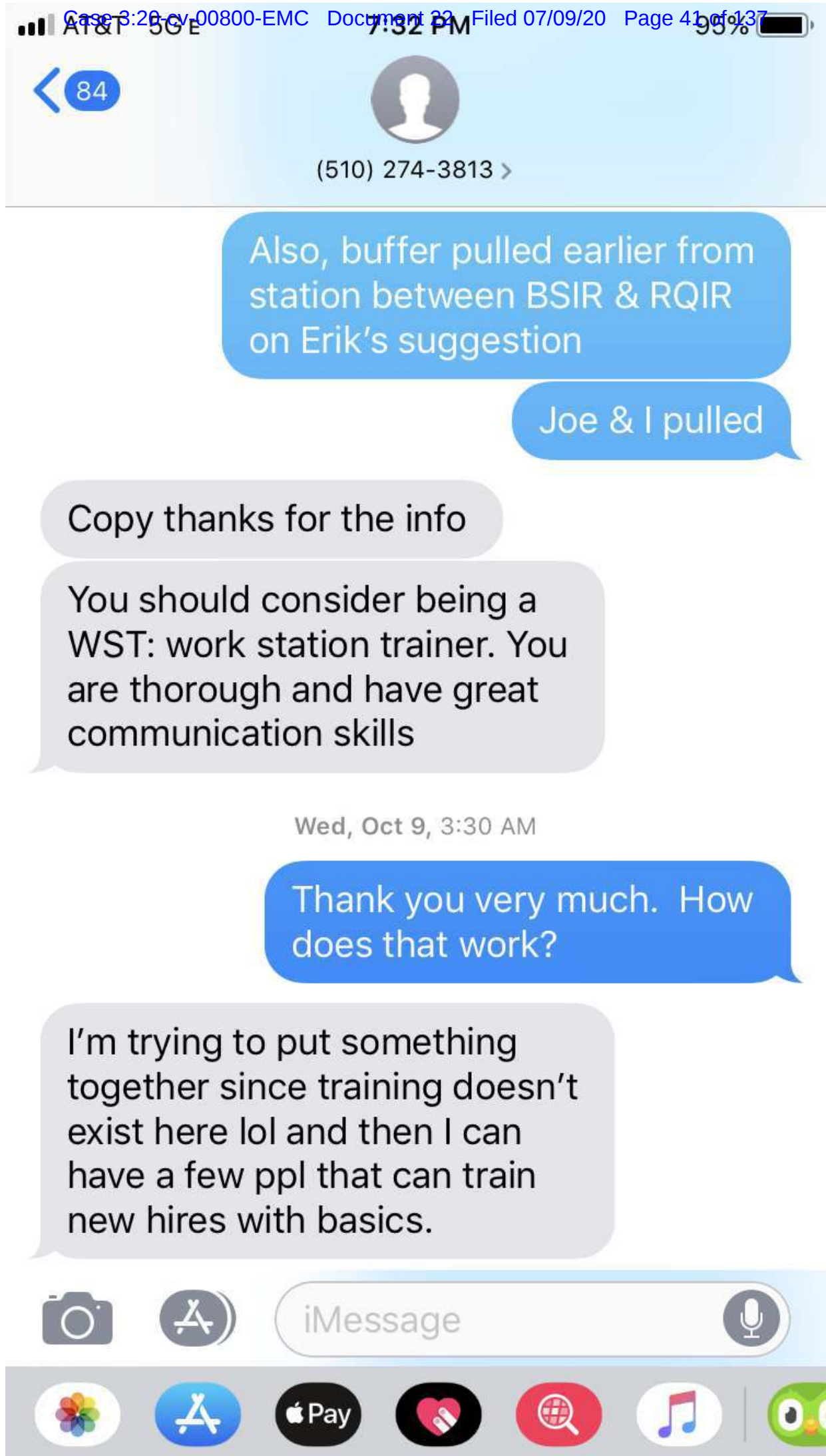


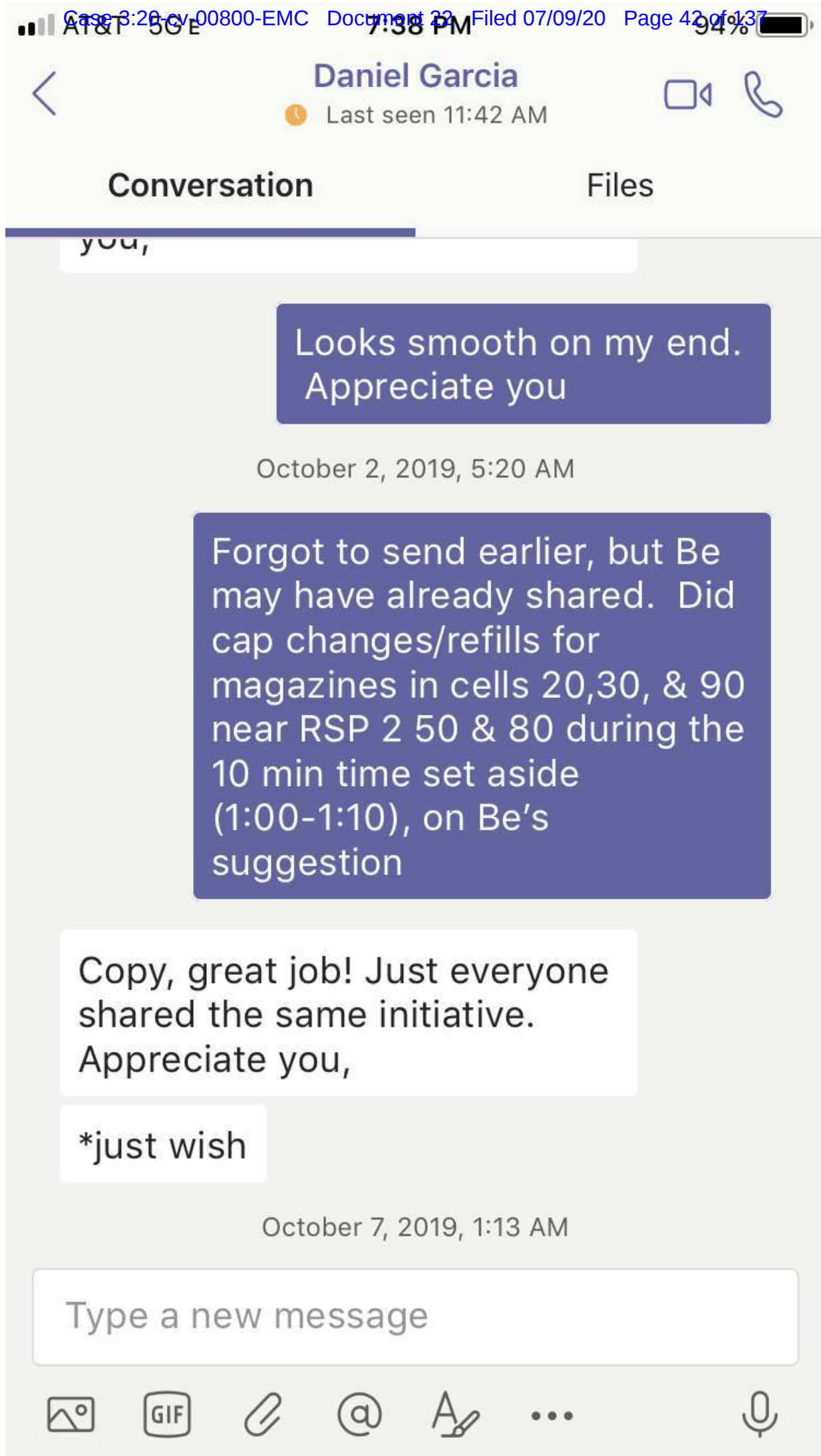


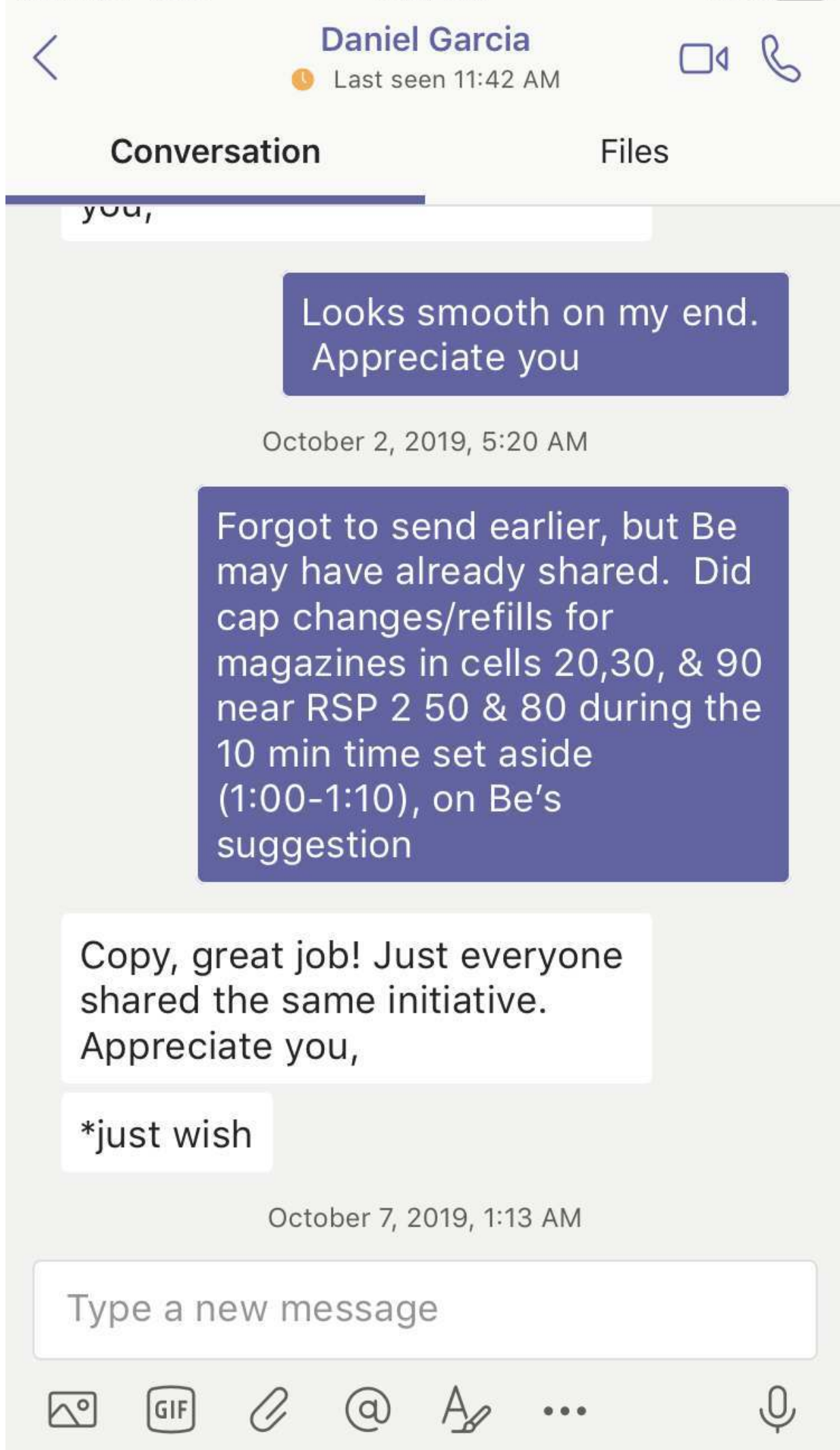
















REMINDERS

39d ago

How specifically you closer to actualizing Pl...

If interested the basis for the suit is Cal Civil Code Section 3344 & one of the premier legal thinkers in the world on the subject wrote a book in 2018 arguing, validating and asserting the same points I made

Fri, Nov 8, 3:35 PM

Holy smokes haha that is amazing haha, you have accomplished more than I ever will. Very impressive stuff right here

Don't say that bro there's no limit to what we all can accomplish - this is only a portion of what's possible and probable

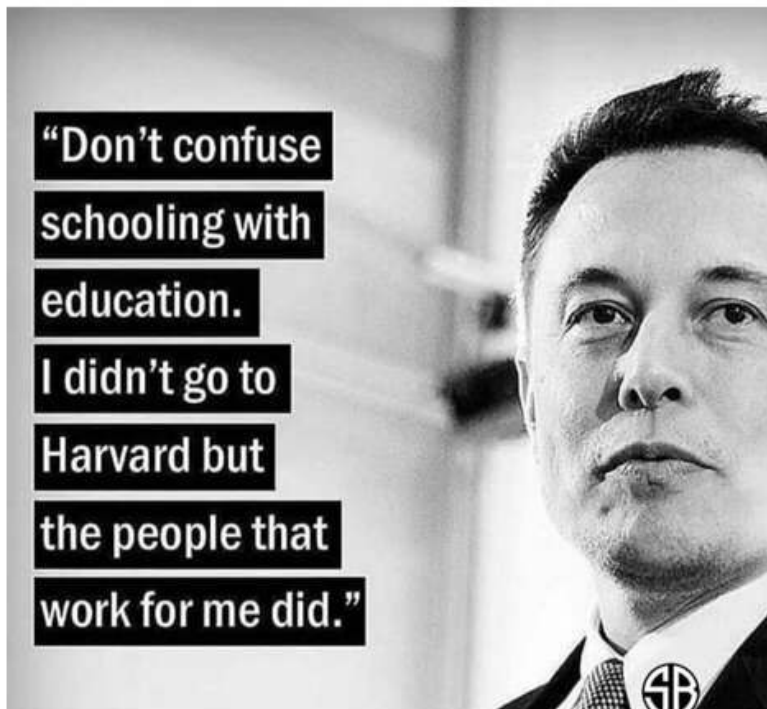


iMessage





Also, [Daniel Garcia Elisa Lopez-Minera](#) a written manual/best practices might be great to do the same for Offline knowledge to capture a lot of Victor's experience/knowledge while still here, in written form, for future/new off-liners to learn quickly those key lessons it took months/years to learn (to pair with the auditory, and learn by doing models, currently employed)?



[See more](#)



Daniel Garcia Nov 6, 2019, 8:33 PM



Appreciate the time you take to offer your insight and knowledge. Will definitely take it into account as I am still growing to develop my own skills.

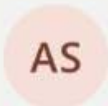
Thanks

[New conversation](#)



Conversation

Zone 4 > General



Amandeep Singh Oct 16, 2019, 5:14 AM



George & Fred... Great Job both of you guys.



You Oct 16, 2019, 6:48 AM

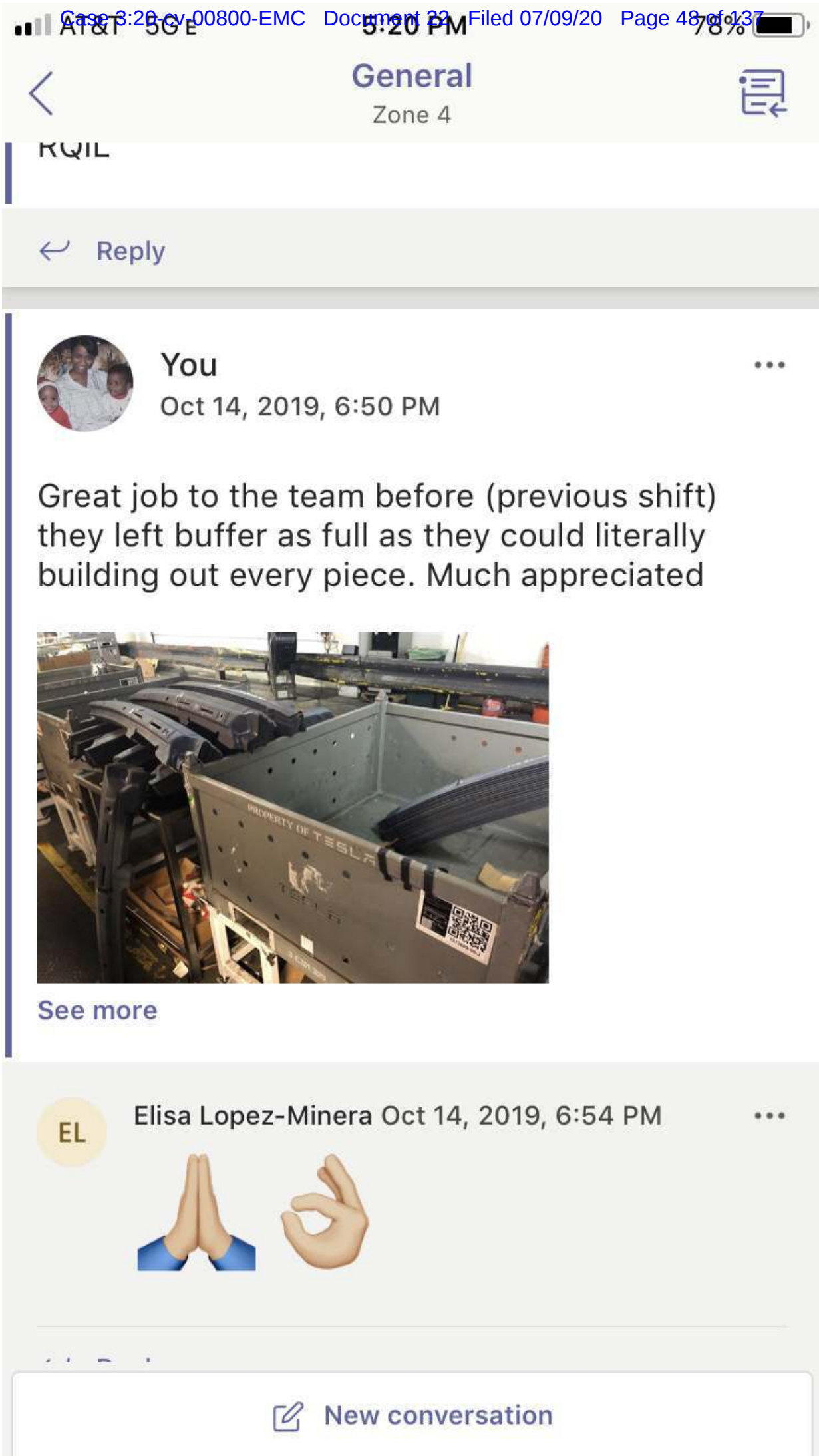


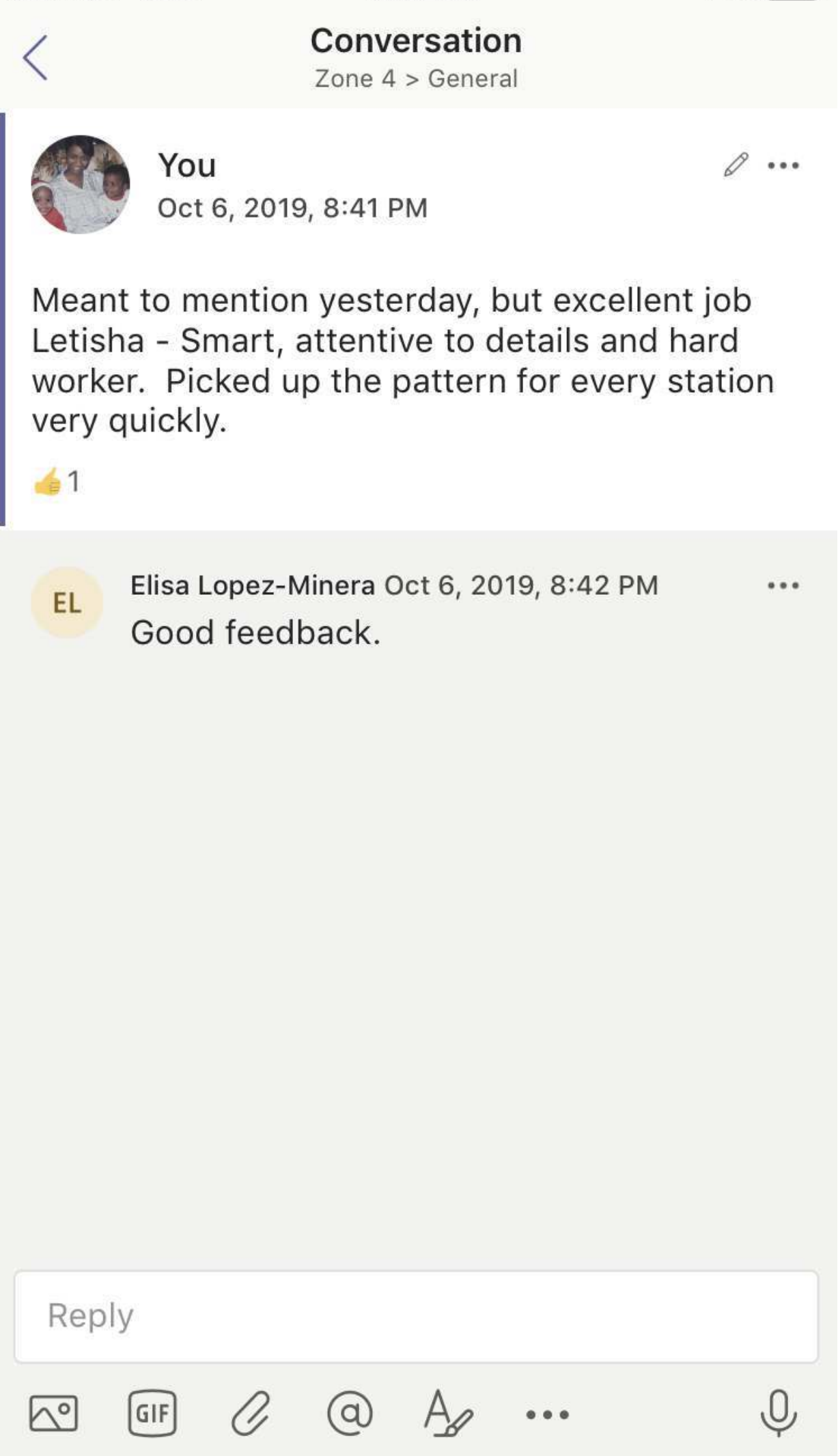
Appreciate you Amandeep - you are always excellent

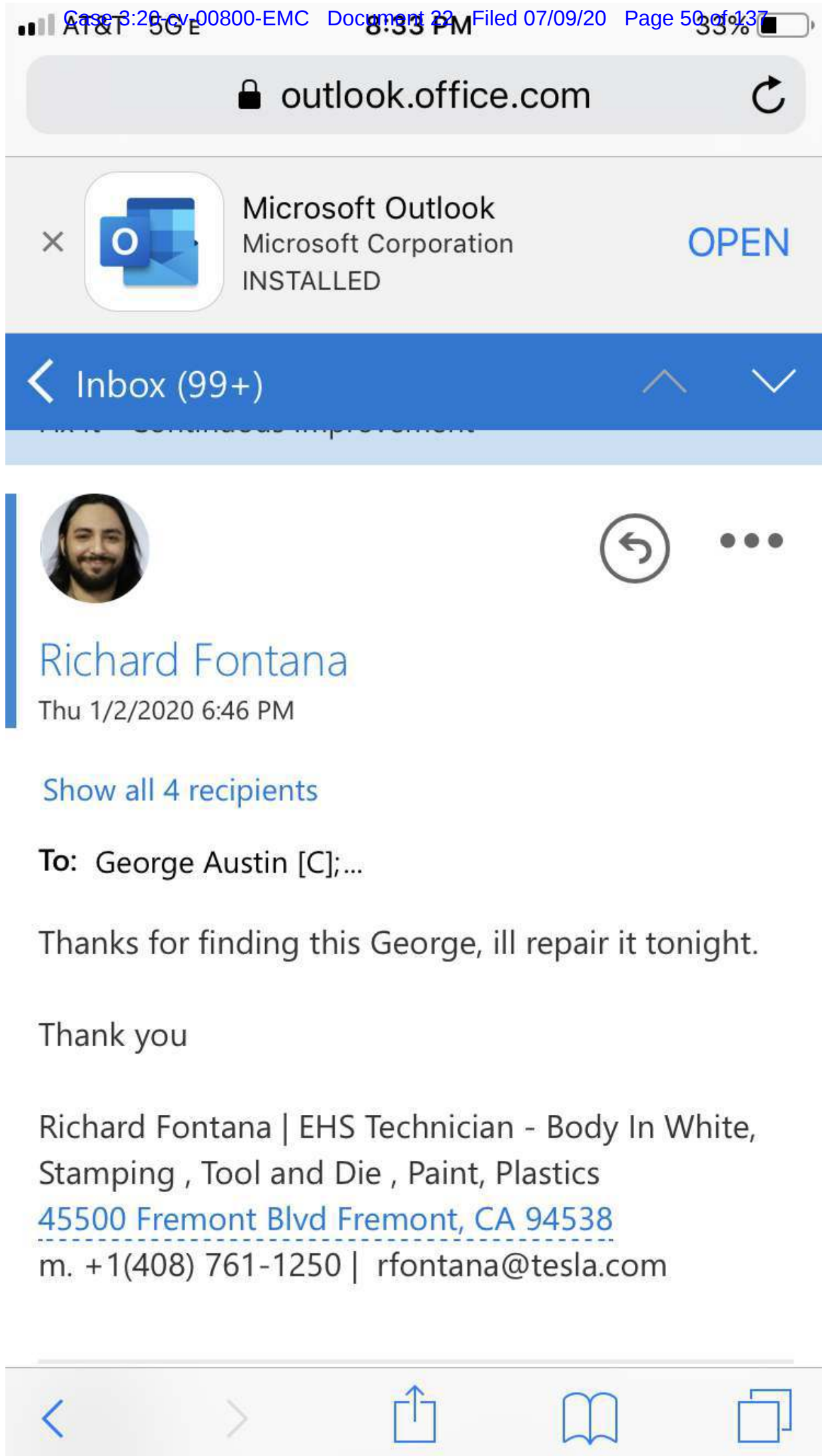


Reply

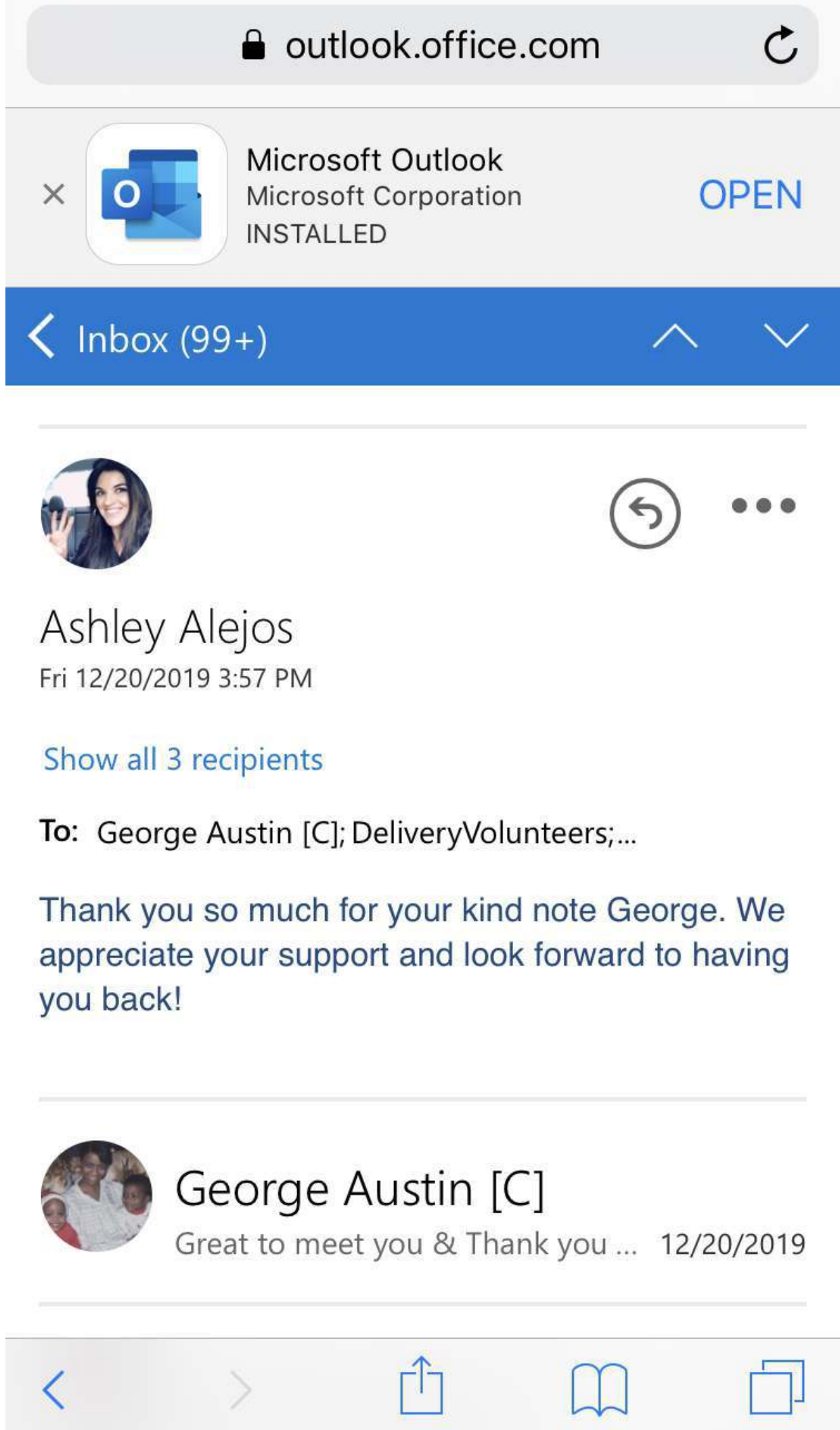


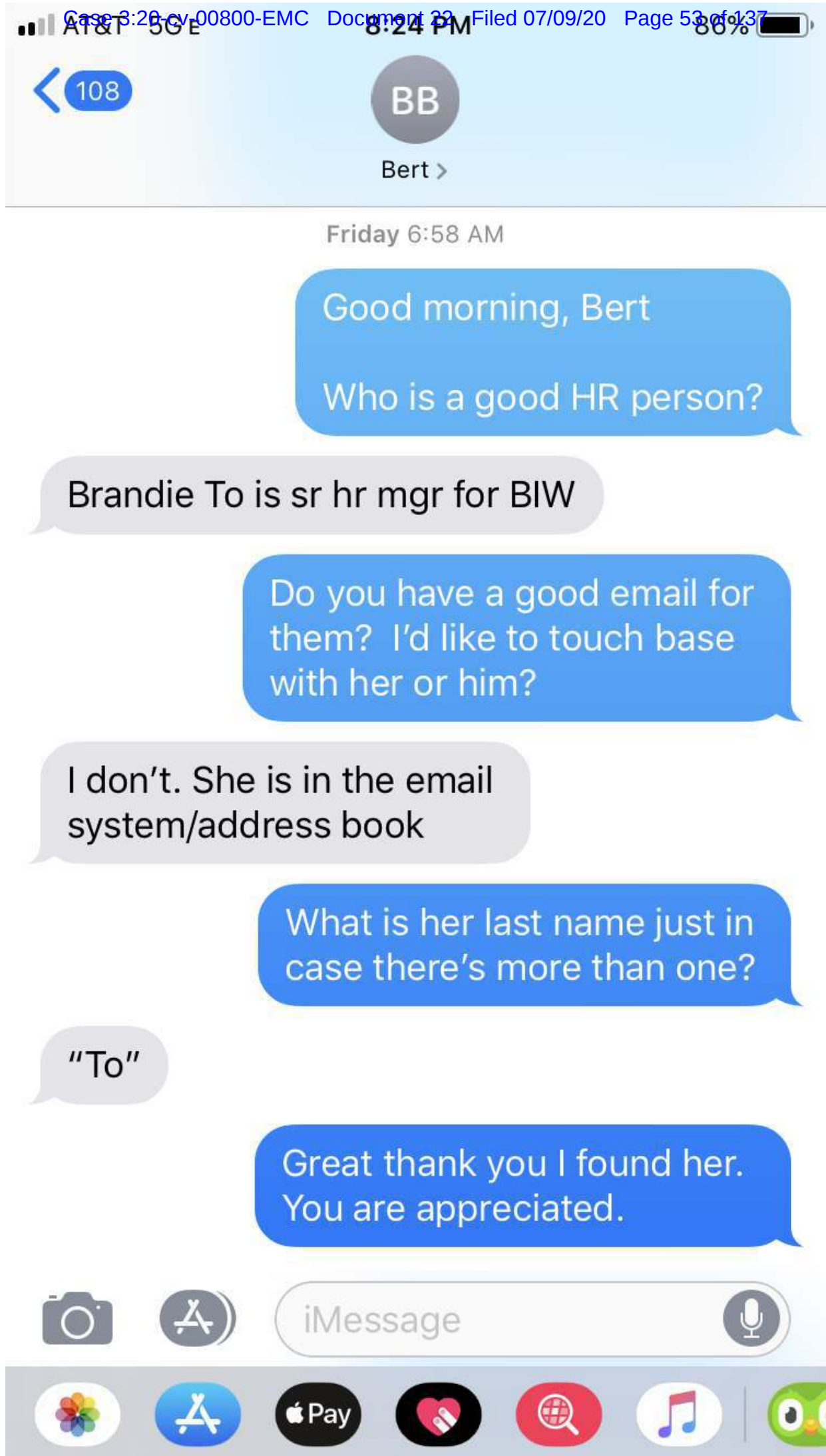












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Continuous Improvement Requests List

Page 1

Report Title: Continuous Improvement Requests List
Run Date and Time: 2020-01-05 19:11:00 Pacific Standard Time
Run by: George Austin [C]
Table name: u_continuous_improvement_requests
Query Condition: Active = true AND Requested for = George Austin [C] .or. Opened by = George Austin [C]
Sort Order: Number in descending order

15 Continuous Improvement Requests

▼ Number	Requested for	Description	Opened by	Site Code	Supervisor email IDs	Request state	Due date	Assigned to
CON0023342	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com, standersen@tesla.com - juamartinez@tesla.com, jomendiola@tesla.com - standersen@tesla.com	Pending Approval		
CON0023332	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com, danielgarcia@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023292	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023291	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com, jazgeorge@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023290	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023289	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com, taihar@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023288	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023287	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		

Run by: George Austin [C]

2020-01-05 19:11:00 Pacific Standard Time

Continuous Improvement Requests List

Page 2

▼ Number	Requested for	Description	Opened by	Site Code	Supervisor email IDs	Request state	Due date	Assigned to
CON0023286	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		



[C]	[C]	SJC12	geaustin@tesla.com - jomendiola@tesla.com	Approval		
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2 of 2

Run by: George Austin [C]

2020-01-05 19:11:00 Pacific Standard Time

Continuous Improvement Requests List

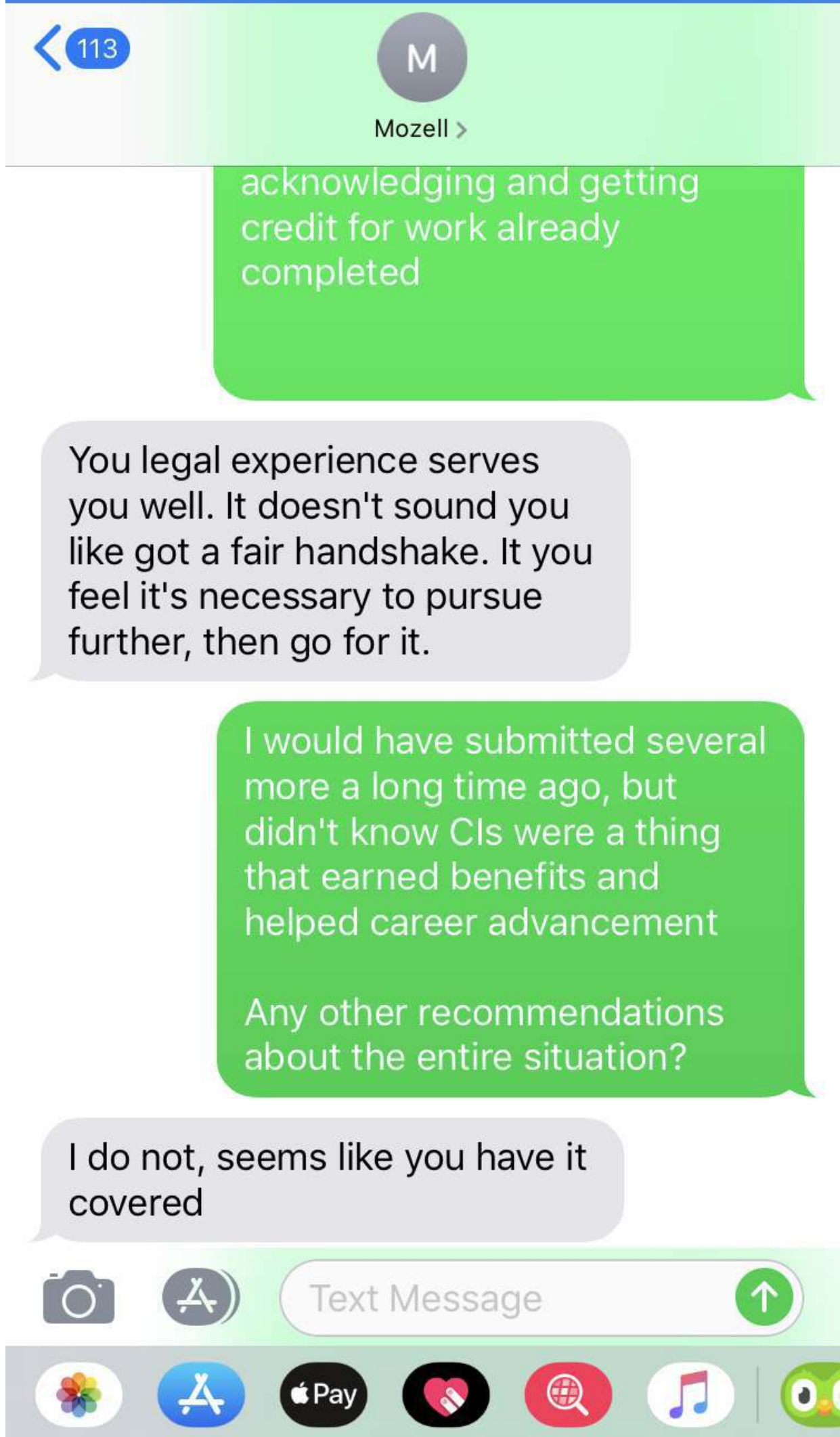
Page 2

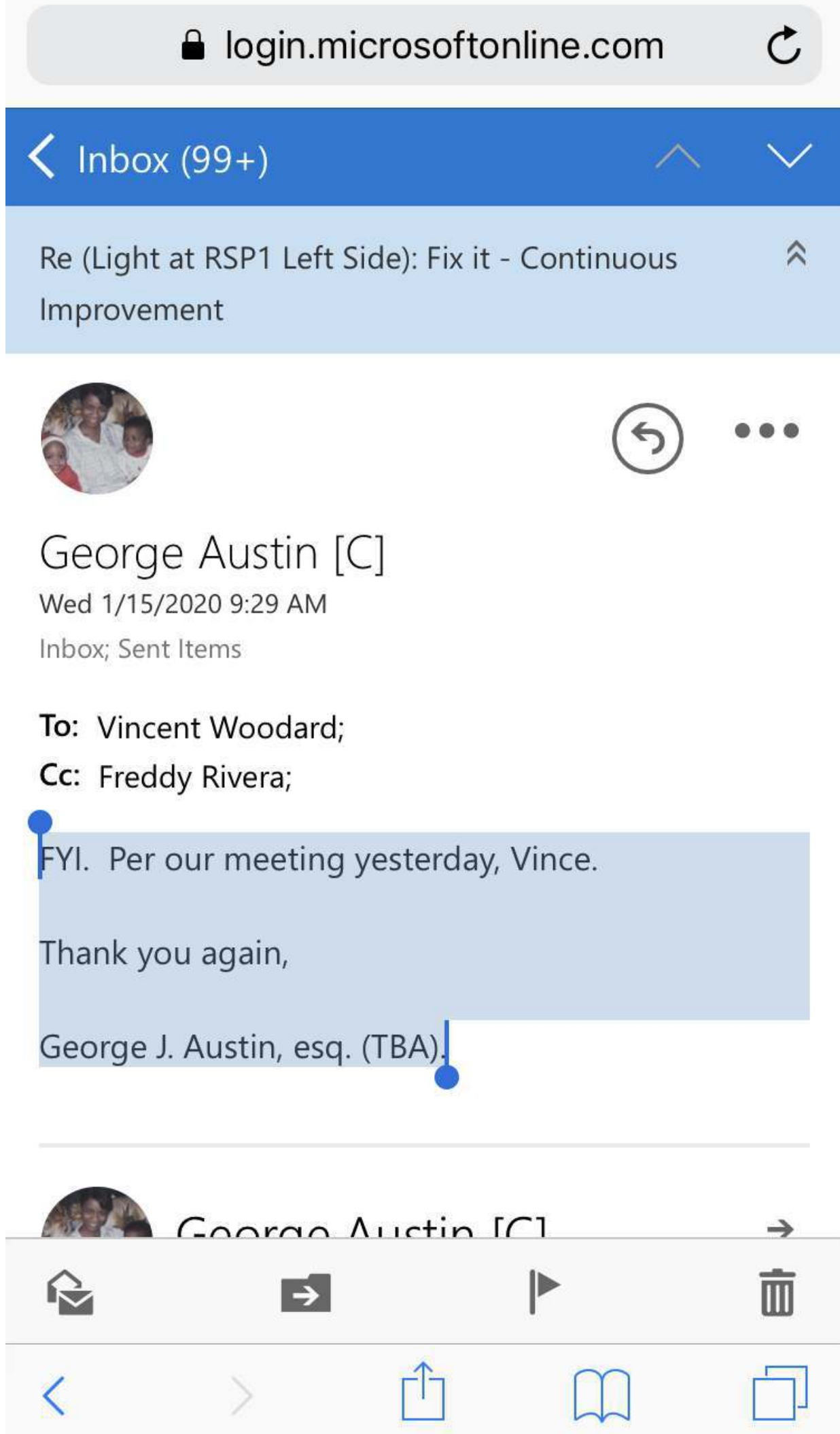
▼ Number	Requested for	Description	Opened by	Site Code	Supervisor email IDs	Request state	Due date	Assigned to
CON0023286	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023285	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023283	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com, dani.garcia@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023282	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023280	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com, fbumagat@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023279	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		
CON0023277	George Austin [C]		George Austin [C]	SJC02 and SJC12	geaustin@tesla.com - jomendiola@tesla.com	Pending Approval		

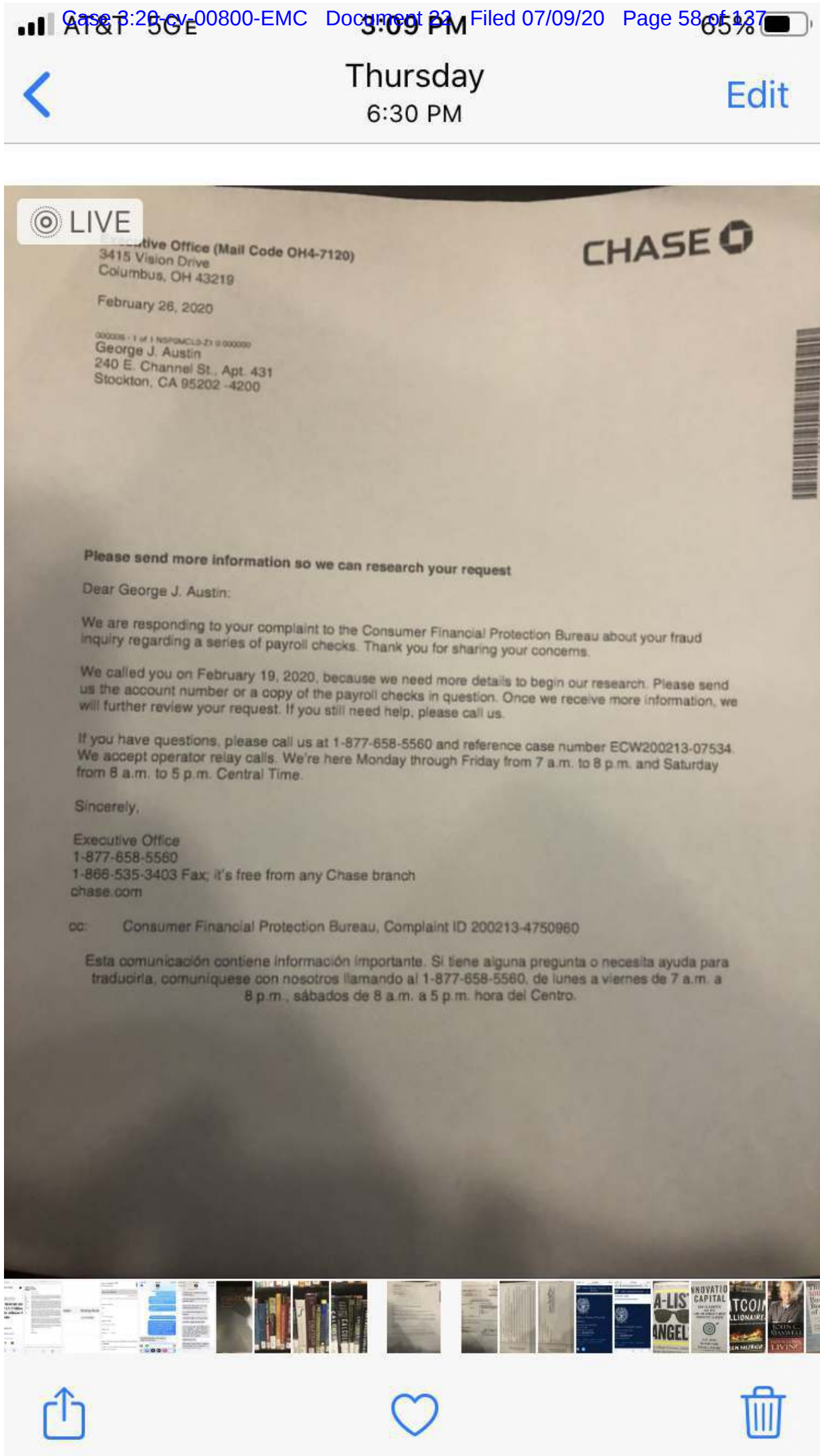
Run by: George Austin [C]

2020-01-05 19:11:00 Pacific Standard Time

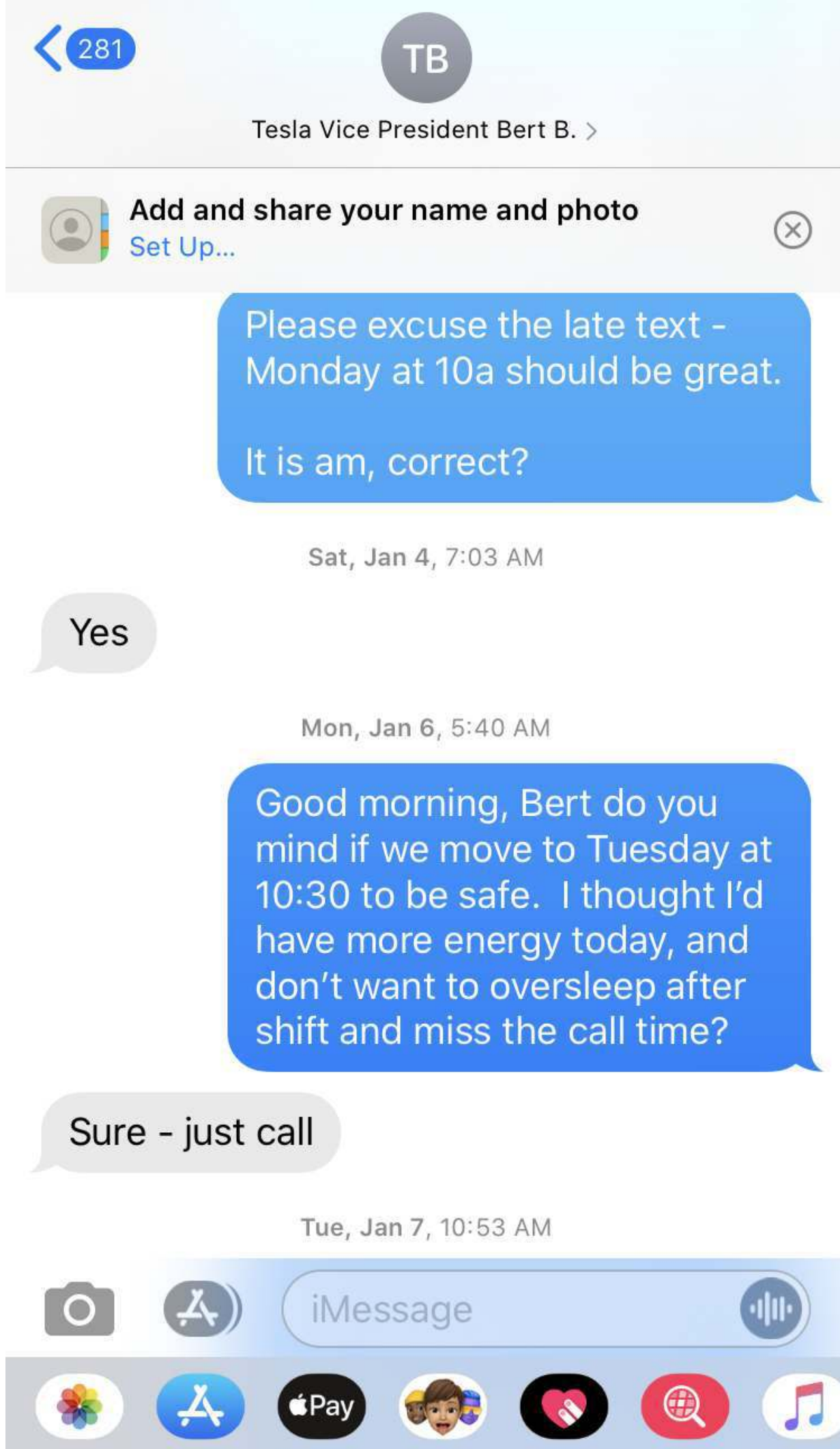




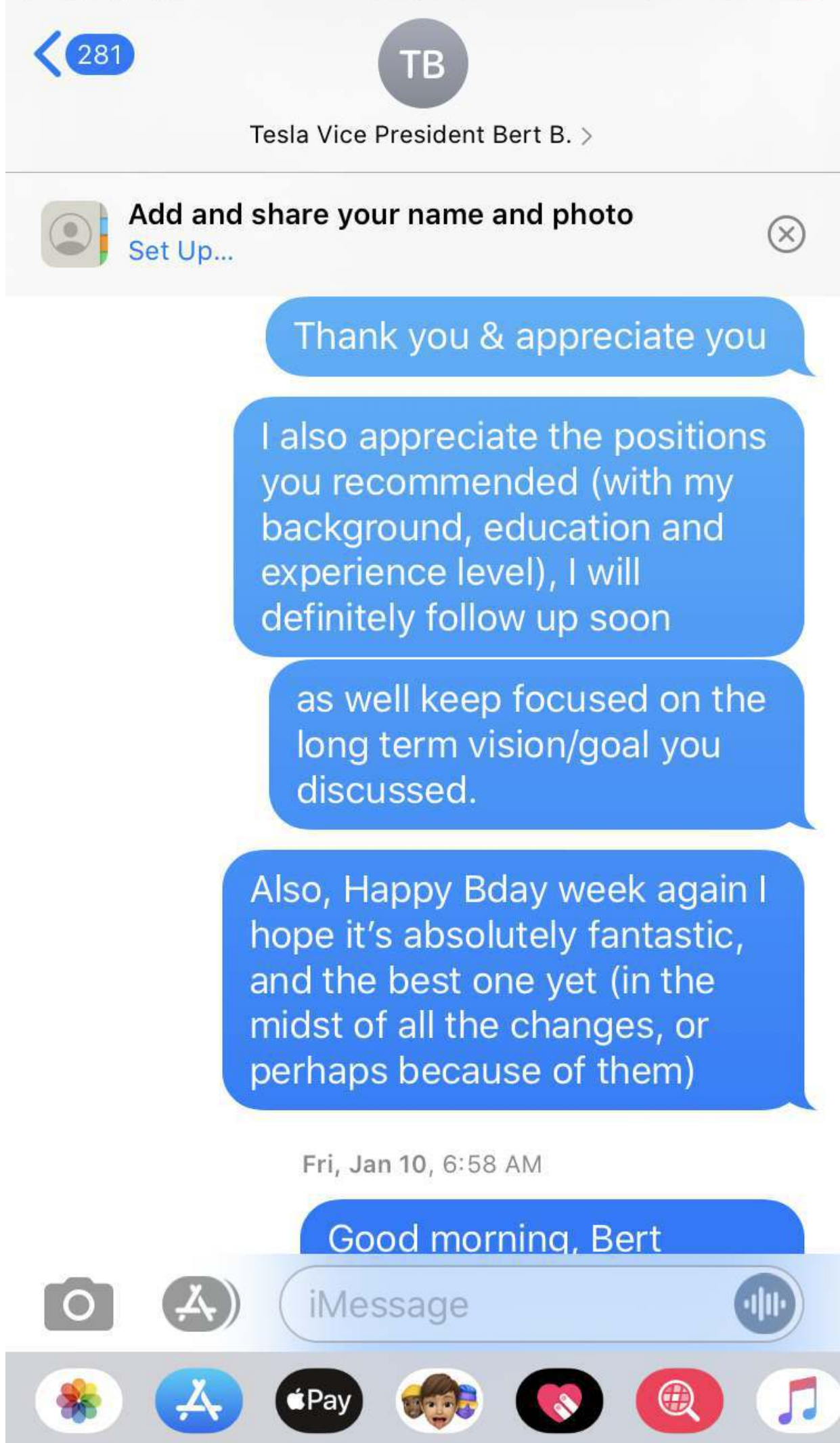


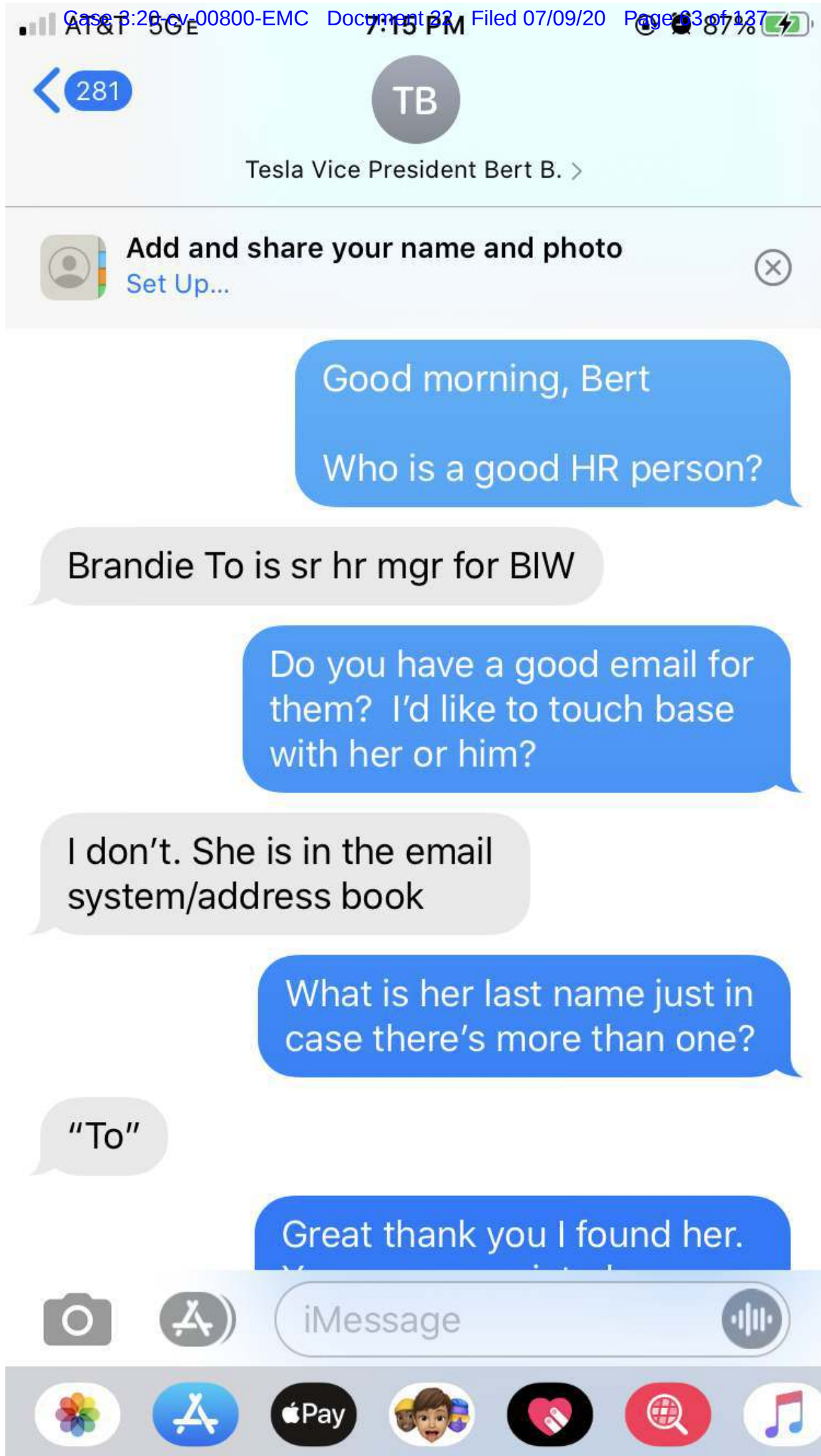














Unique

GEORGETOWN LAW

Combining a world-renowned faculty, a dedication to intellectual stimulation and community, and a location in the heart of the nation's capital, Georgetown is a **unique** place to study law.

Legal Education in Its Fullest Sense

Georgetown Law seeks not only to impart the tools of the lawyer's trade, but also to foster reflection and inquiry into the nature of law and the role and responsibility of lawyers in a global society. The goal is education in its fullest sense — not only mastery of "black letter law," but a sense of the philosophical, political, social and ethical dimensions of law, the awakening of an abiding curiosity about its nature and purposes, and the instilling of a sense of responsibility, development and direction.

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Georgetown nurtures the very highest standards of scholarly inquiry, intellectual rigor and behavior in a way that respects each student's individuality and fosters his or her particular interests and career goals. The result is a dynamic intellectual community, in which students enjoy an unprecedented range of academic opportunities both inside and outside the classroom.

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Located in Washington, D.C., within blocks of the U.S. Congress that enacts laws, the School



"What law school in the country is better positioned to deal with the way the profession is going than Georgetown? We have connections to the corporate bar and criminal justice, and we have extensive clinics. We have been oriented to government and politics for decades. Wherever the legal market is going, what law school has more beachheads there than we do? This is a good place to be."

Daniel R. Ernst, Professor of Law

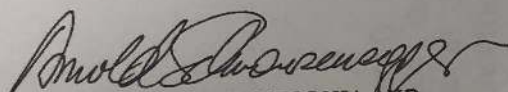
University of California

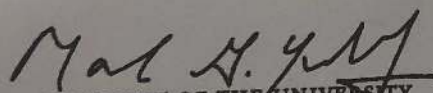
ON THE NOMINATION OF THE FACULTY OF THE
COLLEGE OF LETTERS AND SCIENCE
HAVE CONFERRED UPON

GEORGE JARVIS AUSTIN

THE DEGREE OF BACHELOR OF ARTS
WITH A MAJOR IN SOCIOLOGY
WITH ALL THE RIGHTS AND PRIVILEGES THERETO PERTAINING

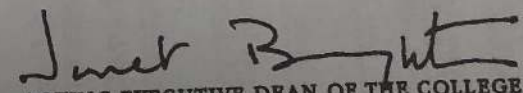
GIVEN AT BERKELEY
THIS NINETEENTH DAY OF DECEMBER IN THE YEAR
TWO THOUSAND AND NINE


GOVERNOR OF CALIFORNIA AND
PRESIDENT OF THE REGENTS


PRESIDENT OF THE UNIVERSITY




CHANCELLOR AT BERKELEY


ACTING EXECUTIVE DEAN OF THE COLLEGE

Austin wants to be sheriff

Look out Tom Tramel, there may be a future sheriff in town.

Five-year-old George Jarvis Austin attends the Kindergarten Center and he wants to be a police officer or a sheriff when he grows up.

Son of Charlotte Hall-Austin, George has begun his school career with a positive attitude. "George is an enthusiastic learner and he is a well-liked and caring person," says one of his teachers.

His interests include T-ball and books, especially the Berenstein Bears series.

According to Principal Earl Watts, "George is a very smart child. He is totally involved in all classroom activities and loves school. With George's ability, I think he can accomplish his goals in life."



CALIFORNIA SENATE



EXPIRATION

09/30/2013

Eye Color

Brown

Height

6-0



Austin, George

Governance & Fin









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youtube.com



YouTube



Uploads from Sacramento State
567 / 755 Sacramento State



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2013
Sacramento State

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1789

GEORGETOWN UNIVERSITY LAW CENTER

Office of the Dean of Students

February 28, 2019

George Austin
240 Channel St. #431
Stockton CA, 95202

Dear George,

Per your request, please find enclosed copies of the two Georgetown Law admissions brochures of which we are aware that include an image of you.

Sincerely,

Mitch Bailin
Associate Vice President and Dean of Students





STATE OF THE STATE ADDRESS

THURSDAY, JANUARY 24, 2013











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STATE OF THE STATE ADDRESS

THURSDAY, JANUARY 24, 2013



AT&T LTE

10:00 AM

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mail-attachment.googleusercontent.com

2012-13

CALIFORNIA SENATE FELLOWS

**About you****Name:** George Austin**Hometown:** [REDACTED]**Hobbies/Interests:** Basketball, Golf, Boxing, Cooking, Kayaking, Travel**Favorite book(s)/movie(s)/TV show(s)/music:** Finding Forester, Goodwill Hunting, Godfather Trilogy, Coming to America, The Golden Child, Batman Begins, Dark Knight, Dark Knight Rises, Hoop Dreams, Above the Rim, Wedding Crashers, Lord of the Rings 1 & 2, Matrix 1 & 2, Ray, Hangover

The West Wing, Doug, Bloomberg Enterprise, Charlie Rose, The Mentor, Bloomberg Game Changers, Cosby Show, The Wire, Martin

Gospel, R & B, Hip-Hop, Country

The Alchemist, Purpose Driven Life, Autobiography of Malcolm X, Developing the Leader Within – John C. Maxwell, How to Win Friends and Influence People Dale Carnegie, Think and Grow Rich Napoleon Hill, 7 Habits of Highly Effective People

Birthday: April 12**3 strange/unique but interesting facts about you:**

1. Up until I was sixteen my shoes size was always 1 or 2 sizes larger than my age (i.e at twelve years old I wore a size fourteen)
2. In one day I met Oprah Winfrey, Prince, Usher, Anthony Hamilton and Barack Obama
3. I've lived in four states

Education**College/University:** University of California, Berkeley**Degree:** BA**Major:** Sociology**Advanced degrees:** Georgetown Law School- JD (deferred, begin 2013)

2012-13

CALIFORNIA SENATE FELLOWS

Goals & Work/Relevant Experience**Activities or Work Experience after College:**

- Riordan MBA Fellows Anderson School of Business (UCLA)
- Chartered Financial Analyst Level 1 Candidate December 2012
- Chartered Financial Analyst Society Scholarship Recipient
- HAAS School of Business, Arts, Science & Engineering Program (Berkeley)

Occupational Goals/Interests: Business/ Law/Entrepreneurship/Finance/Education**Policy Interests:** Economy, Finance, Appropriations, Energy, Transportation, Economic Development, Trade (International and Domestic), Tax, Banking, Insurance

CALIFORNIA SENATE



EXPIRATION

09/30/2013

Eye Color

Brown

Height

6-0



Austin, George

Governance & Fin























RULES COMMITTEE

RESOLUTION

By
President pro Tempore of the Senate Darrell Steinberg
RELATIVE TO COMMENDING



George Austin

WHEREAS, George Austin was selected from a highly competitive group of outstanding college and university graduates from California and throughout the nation, and was appointed a 2012-2013 California Senate Fellow; and

WHEREAS, George Austin, from Stockton, graduated from the University of California, Berkeley, with a Bachelor of Arts degree in Sociology; and

WHEREAS, Through his service in the Senate Committee on Governance and Finance, George Austin had the unique opportunity of acquiring a deeper understanding of the legislative process and public policy formation, while also providing assistance to Senate Members, legislative committees, and their constituencies; and

WHEREAS, The California Senate Fellows program, established in 1973 and sponsored jointly by the Senate and California State University, Sacramento, enables 18 individuals to become full-time Senate staff members in the State Capitol for 11 months and receive six units of university graduate credit; and

WHEREAS, As a result of his outstanding service as a Senate Fellow, George Austin is better equipped to provide valuable leadership and contributions to educational institutions; local, regional, state, and federal governments; and professional, business, and community endeavors in the State of California and the nation; now, therefore, be it

RESOLVED BY THE SENATE RULES COMMITTEE, That George Austin, a 2013-2013 California Senate Fellow, be commended for his exemplary service on behalf of the Members of the Senate, and extended best wishes for every success in his future endeavors.

Senate Rules Committee Resolution No. 24 adopted this 12th day of August, 2013

Darrell Steinberg
CHAIR
Senators Est Civitatis



Libertatem Tuam •







AT&T LTE 11:13 PM 63%

Personal Hotspot: 1 Connection



AT&T 5G E

12:54 AM

43%

mail.google.com



'duke l...

**From:** hoye@law.duke.edu <hoye@law.duke.edu>**To:** "GAUSTIN07@YAHOO.COM"

<GAUSTIN07@YAHOO.COM>

Sent: Tuesday, January 10, 2012, 5:47:42 AM PST**Subject:** Duke Law School Priority Track

DUKE LAW HOME PAGE DUKE.EDU



Duke Priority Track & Fee Waiver


TO: Mr. George Austin, L2 [REDACTED]

Dear Mr. Austin:



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12:54 AM

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mail.google.com



'duke l...



Dear Mr. Austin:

I am pleased to learn of your interest in attending law school. We received information about your outstanding academic record from the Law School Admission Council's Candidate Referral Service. Based on your strong credentials, I invite you to apply to Duke Law School through our Priority Track review process. This program guarantees that a response to your application will be mailed to you within *ten days* of completing your file.

The Priority Track program allows you to submit your application materials at any time prior to the February 15 deadline. Your application fee will be automatically waived when you submit your application through LSAC; you should not need to enter a code. Upon completion of your file, your application will receive an immediate comprehensive review and you will receive a response within ten days. This is a non-binding program; if you are admitted to Duke, you may freely consider offers of admission from other law schools.

Please note that several elements are required to complete your file, including a Credential Assembly Service (CAS)



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'Harva...



If you have any relevant, new information, which is not part of your application to date, we invite you to send this information to the Admissions Office. For example, if you have been enrolled in an academic program, you may wish to provide a final transcript to LSAC.

If you wish to send additional information to the admissions office, please do so via postal mail. Our mailing address is at the bottom of this email. **We will not open or accept email attachments.**

Thank you again for your interest in Harvard Law School.

Sincerely,

Karen Buttenbaum

Director of Admissions


J.D. Admissions Office

Austin Hall, Room 203

1563 Massachusetts Avenue

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12:33 AM

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'Harva...



If you are able and interested in accepting an offer of admission from Harvard Law School over the summer, you should remain on the wait list. If at any time you decide that you do not wish to remain on the wait list, please contact us immediately so that we can remove you from the list and avoid delaying the admission of another candidate.


If you'd like your application to remain under consideration, **please reply to this email indicating your desire to remain on the waitlist.** In your response, please specify if there is a date after which you would not be able to consider an offer of admission (note: we keep an active waitlist up through the start of classes in September). Once we receive this information, your status will change from "waitlist offered" to "active on the waitlist."

If you have any relevant, new information, which is not part of your application to date, we invite you to send this information to the Admissions Office. For example, if you have been enrolled in an academic program, you may



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12:33 AM

44%  mail.google.com

'Harva...

**From:** jdadmiss@law.harvard.edu<jdadmiss@law.harvard.edu>**To:** "GAUSTIN07@YAHOO.COM"<GAUSTIN07@YAHOO.COM>**Sent:** Wednesday, April 25, 2012, 7:08:30 AM PDT**Subject:** Harvard Law School - Wait list offer

Dear Mr. Austin:

Thank you for applying to Harvard Law School. After reviewing your application, the Admissions Committee is offering you a spot on the wait list for the class of 2015.

I have attached answers to the most frequently asked questions about our wait list. Simply put, Harvard Law School maintains a wait list of applicants who are interested in enrolling at HLS this fall. Should space become available in the entering class, we will review the wait list and make offers of admission.

If you are able and interested in accepting an offer of

admission from Harvard Law School over the summer



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Top stories:

Berkeleyan



Home away from home for many at Berkeley, Stiles Hall's living room comfortably holds a crowd. Here, from left to right, Jennifer Church, office manager; George Austin, transfer-students-program director; Dave Stark, Stiles director (holding a photo of









AT&T LTE

10:00 AM

54%

mail-attachment.googleusercontent.com

2012-13

CALIFORNIA SENATE FELLOWS

**About you****Name:** George Austin**Hometown:** [REDACTED]**Hobbies/Interests:** Basketball, Golf, Boxing, Cooking, Kayaking, Travel**Favorite book(s)/movie(s)/TV show(s)/music:** Finding Forester, Goodwill Hunting, Godfather Trilogy, Coming to America, The Golden Child, Batman Begins, Dark Knight, Dark Knight Rises, Hoop Dreams, Above the Rim, Wedding Crashers, Lord of the Rings 1 & 2, Matrix 1 & 2, Ray, Hangover

The West Wing, Doug, Bloomberg Enterprise, Charlie Rose, The Mentor, Bloomberg Game Changers, Cosby Show, The Wire, Martin

Gospel, R & B, Hip-Hop, Country

The Alchemist, Purpose Driven Life, Autobiography of Malcolm X, Developing the Leader Within – John C. Maxwell, How to Win Friends and Influence People Dale Carnegie, Think and Grow Rich Napoleon Hill, 7 Habits of Highly Effective People

Birthday: April 12**3 strange/unique but interesting facts about you:**

1. Up until I was sixteen my shoes size was always 1 or 2 sizes larger than my age (i.e at twelve years old I wore a size fourteen)
2. In one day I met Oprah Winfrey, Prince, Usher, Anthony Hamilton and Barack Obama
3. I've lived in four states

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2012-13

CALIFORNIA SENATE FELLOWS

Goals & Work/Relevant Experience**Activities or Work Experience after College:**

- Riordan MBA Fellows Anderson School of Business (UCLA)
- Chartered Financial Analyst Level 1 Candidate December 2012
- Chartered Financial Analyst Society Scholarship Recipient
- HAAS School of Business, Arts, Science & Engineering Program (Berkeley)

Occupational Goals/Interests: Business/ Law/Entrepreneurship/Finance/Education**Policy Interests:** Economy, Finance, Appropriations, Energy, Transportation, Economic Development, Trade (International and Domestic), Tax, Banking, Insurance



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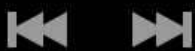
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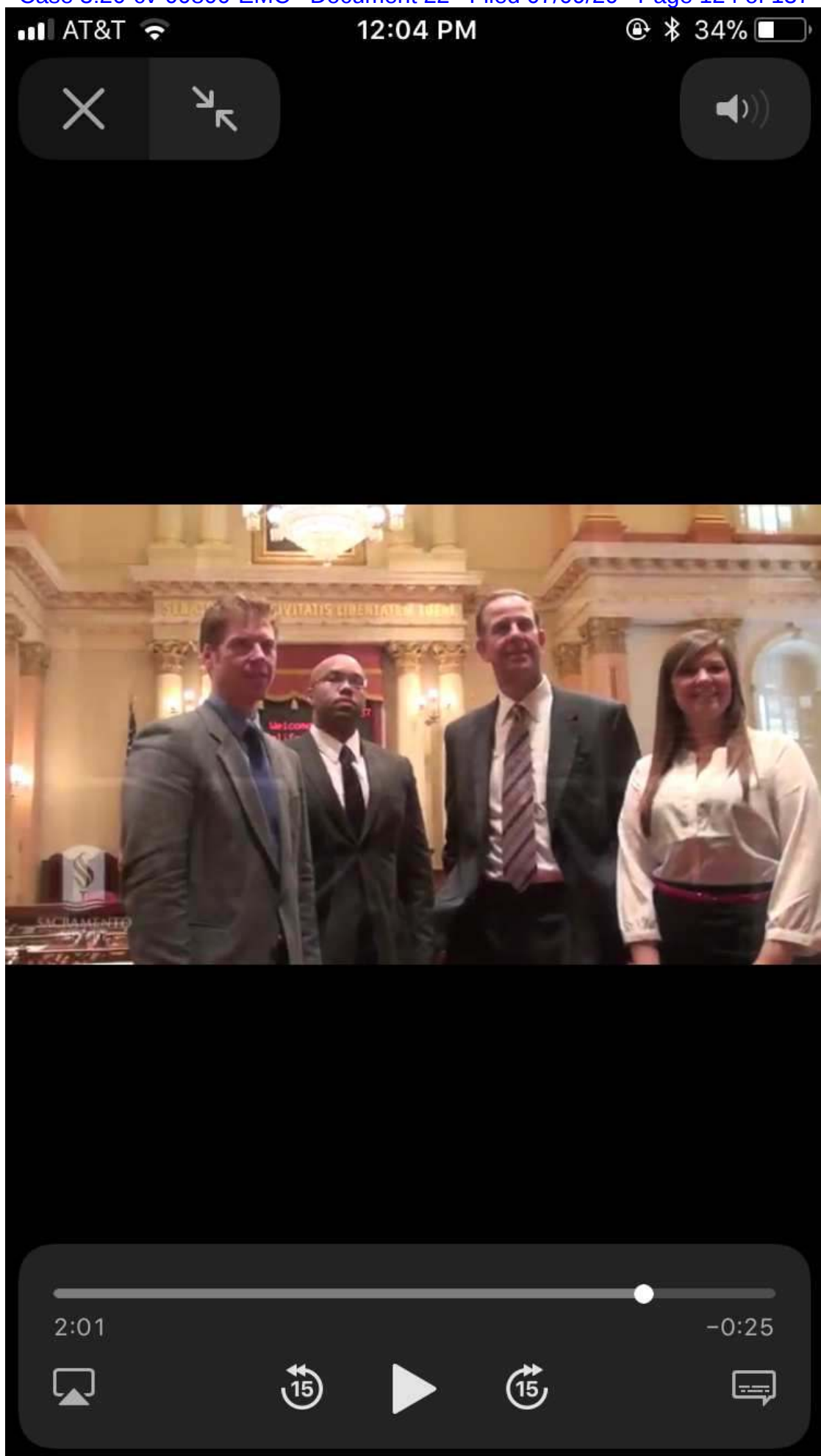


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Sacramento State

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CALIFORNIA SENATE FELLOWS

**About you****Name:** George Austin**Hometown:** Stockton**Hobbies/Interests:** Basketball, Golf, Boxing, Cooking, Kayaking, Travel**Favorite book(s)/movie(s)/TV show(s)/music:** Finding Forester, Goodwill Hunting, Godfather Trilogy, Coming to America, The Golden Child, Batman Begins, Dark Knight, Dark Knight Rises, Hoop Dreams, Above the Rim, Wedding Crashers, Lord of the Rings 1 & 2, Matrix 1 & 2, Ray, Hangover

The West Wing, Doug, Bloomberg Enterprise, Charlie Rose, The Mentor, Bloomberg Game Changers, Cosby Show, The Wire, Martin

Gospel, R & B, Hip-Hop, Country

The Alchemist, Purpose Driven Life, Autobiography of Malcolm X, Developing the Leader Within – John C. Maxwell, How to Win Friends and Influence People Dale Carnegie, Think and Grow Rich Napoleon Hill, 7 Habits of Highly Effective People

Birthday: April 12**3 strange/unique but interesting facts about you:**

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